

 **COPY**

In the Matter of:

In re: Doe 2

Transcript of Hearing

March 9, 2018

Casamo

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Phone: 703-837-0076
Fax: 703-837-8118
Toll Free: 877-837-0077

1010 Cameron Street
Alexandria, VA 22310
transcript@casamo.com

Transcript of hearing

1 (1)
3/9/2018

V I R G I N I A:

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IN RE:

Doe 2

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Falls Church, Virginia
Friday, March 9, 2018

Discipline Hearing of

Doe 2,

pursuant to notice, taken in the offices of
FCPS Administration located at 8115 Gatehouse
Road, Falls Church, Virginia, commencing at
1:34 p.m., before Karen M. Smith, a
professional stenotype reporter and notary
public in and for the Commonwealth of Virginia.

Transcript of hearing

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3/9/2018

1 APPEARANCES:

2 On Behalf of the Student:

3 Amanda DeFede, Esquire
4 McIntyre DeFede Law, PLLC
5 9315 Center Street, Suite 102
6 Manassas, Virginia 20110

7 Doe 1, Father

8 Jane Doe, Mother

9 Joan Doe, Aunt

10 On Behalf of the FCPS Administration:

11 Nancy Kreloff, Hearing Officer
12 J.D. Anderson, Hearing Officer

13 On Behalf of FCPS:

14 Eileen Hoppock, Assistant Principal
15 Laura Waterman, Associate Principal

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<p>1 PROCEEDINGS</p> <p>2 MS. KRELOFF: Before we begin the</p> <p>3 hearing, I'd like to point out that this</p> <p>4 hearing is being recorded by school board</p> <p>5 regulation. However, no one is allowed to make</p> <p>6 a recording themselves. And I'm required to</p> <p>7 let you know that you must turn off any</p> <p>8 recording devices you have other than Casamo</p> <p>9 who is here by the family engagement. If at a</p> <p>10 later date, however, you wish to listen to the</p> <p>11 recording, you certainly may.</p> <p>12 So we're going to start with</p> <p>13 introductions. As I said outside, my name is</p> <p>14 Nancy Kreloff, and I'm the hearing officer for</p> <p>15 the division superintendent.</p> <p>16 To my right.</p> <p>17 MS. HOPPOCK: Eileen Hoppock,</p> <p>18 assistant principal at Lake Braddock.</p> <p>19 MS. WATERMAN: Laura Waterman,</p> <p>20 associate principal Lake Braddock Secondary.</p> <p>21 THE COURT REPORTER: Karen Smith,</p> <p>22 court reporter.</p>	<p>1 In this matter Mr. Anderson and I</p> <p>2 represent the division superintendent. That</p> <p>3 means it's our responsibility to first</p> <p>4 determine if this case is warranted. That</p> <p>5 means did you actually commit some act of</p> <p>6 misconduct, and was it appropriate that it came</p> <p>7 to us. If we determine that it is warranted,</p> <p>8 then it is our responsibility to determine what</p> <p>9 disciplinary action to take.</p> <p>10 So I'm about to tell you four possible</p> <p>11 disciplinary actions, and then there'll be a</p> <p>12 quiz later; okay? Because I need to know that</p> <p>13 you understand. So open to us is to return you</p> <p>14 to Lake Braddock Secondary School as a</p> <p>15 probationary student, to remove you from Lake</p> <p>16 Braddock and send you to another regular high</p> <p>17 school, to remove you from Lake Braddock and</p> <p>18 send you to an alternative school program or in</p> <p>19 the worst case to take this case and send it to</p> <p>20 the school board with a recommendation for</p> <p>21 expulsion. Expulsion is very rare. I don't</p> <p>22 foresee it as being an issue in this case. And</p>
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<p>1 MR. ANDERSON: I'm J.D. Anderson a</p> <p>2 hearing officer.</p> <p>3 MS. [Joan Doe]: I'm [Joan Doe],</p> <p>4 [Doe 2]'s aunt.</p> <p>5 MS. [Jane Doe]: [Jane Doe],</p> <p>6 [Doe 2]'s mom</p> <p>7 MR. [Doe 1]: [Doe 1], I'm</p> <p>8 [Doe 2]'s dad.</p> <p>9 MS. DEFEDE: Amanda DeFede, attorney</p> <p>10 for the family.</p> <p>11 MR. [Doe 2]: And I'm [Doe 2].</p> <p>12 MS. KRELOFF: And you are the student.</p> <p>13 MR. [Doe 2]: Student.</p> <p>14 MS. KRELOFF: Yes, sir. All right.</p> <p>15 Everybody's got a title here.</p> <p>16 Okay. We're here today to conduct an</p> <p>17 administrative hearing to consider your</p> <p>18 principal's referral for disciplinary action</p> <p>19 based on your reported violation of Student</p> <p>20 Rights and Responsibilities Regulation 2601</p> <p>21 specifically for engaging in improper touching</p> <p>22 and sexual harassment.</p>	<p>1 I want to let you know that. But it is --</p> <p>2 whenever you come to our office, it is one of</p> <p>3 our options; okay?</p> <p>4 So for us to determine what our</p> <p>5 decision is going to be today, we need to know</p> <p>6 three things. We need to know about the</p> <p>7 incident. We need to know about you as a</p> <p>8 student, and we need to know about you as a</p> <p>9 person.</p> <p>10 So we start with the incident. The</p> <p>11 school staff will speak first. They're going</p> <p>12 to tell us what happened and why they brought</p> <p>13 this case forward. Mr. Anderson and I may have</p> <p>14 questions for them. Please listen to</p> <p>15 everything they say, because after they have</p> <p>16 finished, I'm going to ask you is that</p> <p>17 accurate, somewhat accurate or not accurate at</p> <p>18 all; okay?</p> <p>19 Your attorney also will have time to</p> <p>20 ask questions of the school. Please listen --</p> <p>21 if she chooses to do so. Please listen to the</p> <p>22 school's answers to any of her questions as</p>

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<p>1 well; okay?</p> <p>2 Then you will have an opportunity to</p> <p>3 tell your side of the story, and Mr. Anderson</p> <p>4 and I will have questions for you. Then your</p> <p>5 attorney may have questions for you; okay?</p> <p>6 Then we're going to move on to your</p> <p>7 school record. I have created a summary. I'm</p> <p>8 going to read that summary. I'm going to ask</p> <p>9 the school to tell us what your teachers are</p> <p>10 saying about you. Once they have finished, I'm</p> <p>11 going to ask you again the same question,</p> <p>12 accurate, somewhat accurate, not accurate at</p> <p>13 all; okay?</p> <p>14 MR. Doe 2: Uh-huh.</p> <p>15 MS. KRELOFF: Then you'll have a</p> <p>16 chance to talk about school. And we may have</p> <p>17 some questions for you. I don't know yet;</p> <p>18 okay?</p> <p>19 Then the third thing is about you as a</p> <p>20 person. You have brought your experts with</p> <p>21 you. You have your father, your mother, your</p> <p>22 aunt and your attorney. Normally we start at</p>	<p>1 letter, though, it will tell you what our</p> <p>2 decision is. And then it will tell you next</p> <p>3 steps. If your parents accept the decision, it</p> <p>4 will tell you how to proceed. If you as the</p> <p>5 parents wish to appeal, it will tell you how to</p> <p>6 appeal. So that will all be in the letter.</p> <p>7 And I have the possibility of</p> <p>8 e-mailing you, the parents. Is that something</p> <p>9 that you wish to have? Your attorney has</p> <p>10 provided her e-mail address. But it is up to</p> <p>11 you whether you want these documents e-mailed.</p> <p>12 MR. Doe 1: You can send it to</p> <p>13 the attorney.</p> <p>14 MS. DEFEDGE: You can send it to all of</p> <p>15 us.</p> <p>16 MS. KRELOFF: Oh, to all of you.</p> <p>17 MS. DEFEDGE: Yes.</p> <p>18 MS. KRELOFF: Okay. I just want to</p> <p>19 check and make sure, because I don't want</p> <p>20 anything going awry. Numberspace@icloud.com.</p> <p>21 MR. Doe 1: That's fine.</p> <p>22 MS. KRELOFF: Okay. And Sus -- I'm</p>
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<p>1 this point with the parents and then go to the</p> <p>2 attorney.</p> <p>3 But, Ms. DeFede, I defer to you.</p> <p>4 Which way would you like to do that last</p> <p>5 section? Would you like to speak first?</p> <p>6 MS. DEFEDGE: Me first and then parents</p> <p>7 since they know him best to close it out.</p> <p>8 MS. KRELOFF: Okay. That's fine.</p> <p>9 If for some reason I forget when I get</p> <p>10 there, please remind me; okay?</p> <p>11 MS. DEFEDGE: Yes.</p> <p>12 MR. Doe 1: Can I ask a quick</p> <p>13 question? We never received reports from his</p> <p>14 first period teacher as of yet. And so we'd</p> <p>15 like to --</p> <p>16 MS. KRELOFF: Sir, just let me get</p> <p>17 through this, and then I will address that.</p> <p>18 So we do not announce a decision</p> <p>19 today. A decision -- we are here to gather</p> <p>20 information today. A decision will come from</p> <p>21 our office in five to ten working days. We are</p> <p>22 unfortunately excruciatingly busy. In that</p>	<p>1 sorry -- sushsathe?</p> <p>2 MS. Jane Doe: If you can just</p> <p>3 send it to his, that will be okay.</p> <p>4 MR. Doe 1: Yeah. We have a</p> <p>5 concern about whether it's been hacked.</p> <p>6 MS. KRELOFF: Oh, okay. Sure. Sure.</p> <p>7 Sure. That's why I always check.</p> <p>8 And then Ms. DeFede has provided hers.</p> <p>9 All right. So are there any</p> <p>10 questions? I registered that, and I'll get to</p> <p>11 that in a few moments. But do you have any --</p> <p>12 MR. ANDERSON: If you want, we did get</p> <p>13 a copy of it. I can just give him my copy.</p> <p>14 It's very short, and I've already read it.</p> <p>15 MS. KRELOFF: Okay. That's great.</p> <p>16 All right. Taken care of. Thank you,</p> <p>17 Mr. Anderson.</p> <p>18 MR. ANDERSON: Certainly.</p> <p>19 MS. KRELOFF: So are there any</p> <p>20 questions about the procedures in the hearing?</p> <p>21 We do take turns; okay?</p> <p>22 You doing all right?</p>

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<p>1 MR. [Doe 2]: Yes.</p> <p>2 MS. KRELOFF: All right. Excellent.</p> <p>3 Okay. So prior to the hearing I did</p> <p>4 receive a letter appealing the ten-day</p> <p>5 suspension. And near the end of the hearing, I</p> <p>6 will speak about that. So we'll address that</p> <p>7 as we're about to end; okay?</p> <p>8 All right. So the first questions are</p> <p>9 for you. The first one is, do you understand</p> <p>10 what the school has accused you of doing?</p> <p>11 MR. [Doe 2]: Yes. I'm here</p> <p>12 because I've been accused of inappropriate</p> <p>13 touching and sexual harassment.</p> <p>14 MS. KRELOFF: That is correct.</p> <p>15 Okay. And do you remember what I said</p> <p>16 the four possible choices are if we determine</p> <p>17 you did break school rules?</p> <p>18 MR. [Doe 2]: Yes. One, return to</p> <p>19 Lake Braddock as a probation student; two, go</p> <p>20 to another regular high school in Fairfax</p> <p>21 County; three, go to an alternative high</p> <p>22 school; and then, four, recommendation for</p>	<p>1 ladies the next day during the school day. We</p> <p>2 interviewed the three young ladies who had</p> <p>3 approached the administrator the day before and</p> <p>4 then also continued to interview some other</p> <p>5 students who had been witnesses to some of the</p> <p>6 behaviors that they had shared with us.</p> <p>7 The incident that had -- they</p> <p>8 initially brought to our attention from the</p> <p>9 week before involved [Doe 2] and one of his</p> <p>10 classmates who were in the library after</p> <p>11 school. The young lady said that [Doe 2] had</p> <p>12 touched her in her crotch and on her bottom.</p> <p>13 That he had said -- she had expressed concern</p> <p>14 and said, hey, knock it off or cut that out.</p> <p>15 And at that point he said chill out or be cool.</p> <p>16 I'm just kidding, something to that effect.</p> <p>17 And at that point she then walked away.</p> <p>18 The other students said that they had</p> <p>19 not been present for that particular incident.</p> <p>20 However, in her sharing that information, they</p> <p>21 said that they had witnessed prior behaviors</p> <p>22 and comments that had taken place over the</p>
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<p>1 expulsion.</p> <p>2 MS. KRELOFF: And what did I say about</p> <p>3 that last one?</p> <p>4 MR. [Doe 2]: It's rare.</p> <p>5 MS. KRELOFF: That's very rare.</p> <p>6 Okay. Thank you.</p> <p>7 So please listen while the school is</p> <p>8 speaking. And then I will come to you; okay?</p> <p>9 All right. Ms. Waterman --</p> <p>10 MS. WATERMAN: I defer to Ms. Hoppock.</p> <p>11 MS. KRELOFF: -- could you please tell</p> <p>12 us why we're here.</p> <p>13 MS. WATERMAN: Sure. Absolutely.</p> <p>14 MS. HOPPOCK: Sure. On the afternoon</p> <p>15 of February 12th, there were some young ladies</p> <p>16 who sought out a member of the school</p> <p>17 administration. They spoke briefly with one of</p> <p>18 the other assistant principals after school and</p> <p>19 shared that there had been an incident</p> <p>20 involving [Doe 2] inappropriately touching one of</p> <p>21 them after school the previous week.</p> <p>22 We then began to interview those young</p>	<p>1 course of several months. These behaviors</p> <p>2 included telling jokes of an inappropriate and</p> <p>3 sexual nature and that frequently there were</p> <p>4 comments being made about young ladies' bodies.</p> <p>5 That [Doe 2] had specifically spoken to</p> <p>6 young ladies and about them in conversations</p> <p>7 with others describing them as thick meaning</p> <p>8 curvy or voluptuous. And that on two incidents</p> <p>9 that [Doe 2] had actually also touched one of the</p> <p>10 young ladies. She shared that one of those</p> <p>11 incidents was during Spanish class after he had</p> <p>12 commented to her that he had noticed that her</p> <p>13 sister had lost a lot of weight.</p> <p>14 The context for that conversation then</p> <p>15 turned inappropriate. And he said, according</p> <p>16 to the young lady, that her sister had lost a</p> <p>17 lot of weight, that her breasts had gotten</p> <p>18 smaller but that this particular young lady's</p> <p>19 breasts were still fine. And he, according to</p> <p>20 her, nudged her on the side of her chest</p> <p>21 adjacent to her breast.</p> <p>22 On another occasion she did not</p>

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<p>1 remember whether that had been in December or</p> <p>2 January. He had called her especially thick</p> <p>3 and had tapped her on her lower hip adjacent to</p> <p>4 her bottom or almost on her bottom. She</p> <p>5 expressed her concern about being touched</p> <p>6 inappropriately and said that she had been</p> <p>7 witness to comments that were sexual in nature.</p> <p>8 Some of the comments included things</p> <p>9 about masturbation. That because she had had</p> <p>10 fake nails put on over the winter holiday that</p> <p>11 -- the quote that she said was that if he -- or</p> <p>12 that Doe 2 had said that if she had fingered</p> <p>13 herself that that would have injured her.</p> <p>14 There was also a conversation involving the use</p> <p>15 of a tampon and why that did not then prompt</p> <p>16 females to orgasm.</p> <p>17 These comments in general but in those</p> <p>18 specific incidents made not just the three</p> <p>19 students who came forward initially as well as</p> <p>20 other witnesses uncomfortable, that cultivated</p> <p>21 an atmosphere of sexual harassment that</p> <p>22 students said had persisted throughout part of</p>	<p>1 touching?</p> <p>2 MS. HOPPOCK: There were three</p> <p>3 specific incidents that I referenced. And in</p> <p>4 each instance, the only confirmed witness was</p> <p>5 the young lady --</p> <p>6 MS. KRELOFF: The victim.</p> <p>7 MS. HOPPOCK: -- herself, yes.</p> <p>8 MS. KRELOFF: Okay. Would any of</p> <p>9 these students have a reason to lie about the</p> <p>10 comments or the touching?</p> <p>11 MS. HOPPOCK: Not to the best of my</p> <p>12 knowledge.</p> <p>13 MS. KRELOFF: Did you find your</p> <p>14 witnesses to be credible?</p> <p>15 MS. HOPPOCK: I did. I also</p> <p>16 interviewed these students with one of the</p> <p>17 other assistant principals, and she too found</p> <p>18 their comments and their allegations to be</p> <p>19 founded or at least warranted.</p> <p>20 MS. KRELOFF: Did Doe 2 admit his</p> <p>21 misconduct?</p> <p>22 MS. HOPPOCK: When we met with Doe 2,</p>
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<p>1 the fall conditioning season and into the</p> <p>2 winter.</p> <p>3 So as we interviewed these students,</p> <p>4 we determined that this pattern of sexual</p> <p>5 harassment was something that obviously was</p> <p>6 concerning and that it had crossed into</p> <p>7 instructional time as Doe 2 does share a Spanish</p> <p>8 class with one of these young ladies.</p> <p>9 All of these findings led us to bring</p> <p>10 our -- we brought our findings to our</p> <p>11 principal, and he confirmed that he felt that</p> <p>12 that then warranted a referral to the division</p> <p>13 superintendent.</p> <p>14 MS. KRELOFF: So how many students</p> <p>15 actually witnessed the inappropriate let's</p> <p>16 start with comments?</p> <p>17 MS. HOPPOCK: Sure. We had at least</p> <p>18 six, I believe seven students who said that</p> <p>19 they had witnessed and directly heard these</p> <p>20 comments.</p> <p>21 MS. KRELOFF: How many witnesses said</p> <p>22 they experienced or saw any inappropriate</p>	<p>1 Doe 2 said that he did, in fact, have physical</p> <p>2 contact with one of the young ladies. He said</p> <p>3 that he accidentally touched her below her</p> <p>4 waist when they were poking each other in the</p> <p>5 library. He denied the other allegations of</p> <p>6 improper touching in terms of touching the</p> <p>7 young lady on her lower hip or on -- close to</p> <p>8 her bottom and adjacent to her breast. He said</p> <p>9 that those did not happen.</p> <p>10 MS. KRELOFF: So below her waist, is</p> <p>11 that in the crotch, the genital area?</p> <p>12 MS. HOPPOCK: Doe 2 initially said that</p> <p>13 yes. He said, I never meant to touch anyone.</p> <p>14 I didn't intend to violate anyone, was the</p> <p>15 quote that he had shared. And that he</p> <p>16 initially said, I didn't mean to touch her down</p> <p>17 there.</p> <p>18 But when pressed, Doe 2 did not confirm</p> <p>19 that he had touched her crotch.</p> <p>20 MS. KRELOFF: Okay. So he did admit,</p> <p>21 however, making comments to other males?</p> <p>22 MS. HOPPOCK: He said that he had</p>

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<p>1 participated in conversations with his</p> <p>2 teammates. That these were conversations that</p> <p>3 happened in the weight room or during practice.</p> <p>4 MS. KRELOFF: And what sport is that?</p> <p>5 MS. HOPPOCK: This is crew.</p> <p>6 MS. WATERMAN: Crew.</p> <p>7 MS. KRELOFF: Crew.</p> <p>8 MS. HOPPOCK: Uh-huh.</p> <p>9 MS. KRELOFF: So were there three</p> <p>10 girls who were touched inappropriately by your</p> <p>11 investigation?</p> <p>12 MS. HOPPOCK: Two.</p> <p>13 MS. KRELOFF: Two. Okay.</p> <p>14 So you're saying that one female was</p> <p>15 touched on the breast.</p> <p>16 MS. HOPPOCK: Uh-huh.</p> <p>17 MS. KRELOFF: Yes?</p> <p>18 And was -- I thought I saw that there</p> <p>19 was a male witness to this. Is that incorrect?</p> <p>20 MS. HOPPOCK: That is correct. One of</p> <p>21 the --</p> <p>22 MS. KRELOFF: That is correct?</p>	<p>1 that the response was typically, I'm just</p> <p>2 joking. I'm just joking.</p> <p>3 On one occasion I think the response</p> <p>4 was, Ooh, that's gross and, oh, disgusting.</p> <p>5 But they did express that when the</p> <p>6 jokes were happening or comments about people's</p> <p>7 bodies were being made that there were comments</p> <p>8 that said don't say that or knock it off.</p> <p>9 MS. KRELOFF: Was there any threat</p> <p>10 used?</p> <p>11 MS. HOPPOCK: No.</p> <p>12 MS. KRELOFF: Did the victims in this</p> <p>13 case miss any school? Anything cause them to</p> <p>14 feel --</p> <p>15 MS. HOPPOCK: No.</p> <p>16 MS. KRELOFF: No.</p> <p>17 Do you believe that the victims here</p> <p>18 continue to be -- experience discomfort over</p> <p>19 this issue?</p> <p>20 MS. HOPPOCK: Yes.</p> <p>21 MS. KRELOFF: So it basically crossed</p> <p>22 from the sports atmosphere into the school</p>
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<p>1 MS. HOPPOCK: That is correct.</p> <p>2 MS. KRELOFF: Did that male witness</p> <p>3 have any reason to lie about that?</p> <p>4 MS. HOPPOCK: Not to the best of my</p> <p>5 knowledge.</p> <p>6 MS. KRELOFF: What do you think the</p> <p>7 motivation for this was? I mean, it sounds</p> <p>8 like your case is that it is ongoing.</p> <p>9 MS. HOPPOCK: Yes. I believe what</p> <p>10 brought it to a point where the young ladies</p> <p>11 felt compelled to come to administration was</p> <p>12 the incident in the library and that the young</p> <p>13 ladies -- the young lady expressed her concern</p> <p>14 about seeing Doe 2 or being around him. At that</p> <p>15 point these students said that this had, in</p> <p>16 their words, had gone on too long and that they</p> <p>17 wanted to bring it to the administration's</p> <p>18 attention.</p> <p>19 MS. KRELOFF: Had they said that they</p> <p>20 had expressly told him to stop?</p> <p>21 MS. HOPPOCK: They said that they</p> <p>22 would say knock it off or don't do that and</p>	<p>1 atmosphere; is that correct?</p> <p>2 MS. HOPPOCK: Yes, ma'am.</p> <p>3 MS. KRELOFF: Okay. Was there any</p> <p>4 posting on social media about any of this?</p> <p>5 MS. HOPPOCK: There was a tweet that</p> <p>6 was sent regarding this allegation to FCPS News</p> <p>7 that then made its way back to the school.</p> <p>8 That the person who had sent this tweet said</p> <p>9 that there had been improper touching and that</p> <p>10 there had been sexual harassment by Doe 2 and</p> <p>11 that the school needed to investigate.</p> <p>12 MS. KRELOFF: But you're not aware of</p> <p>13 who sent that?</p> <p>14 MS. HOPPOCK: No. We tried our best</p> <p>15 to identify who it was. However, it was --</p> <p>16 MS. WATERMAN: The user name was --</p> <p>17 MS. HOPPOCK: The user name was not</p> <p>18 helpful. Any postings were not directly tied</p> <p>19 back or identifiable.</p> <p>20 MS. KRELOFF: So it was sent to whom?</p> <p>21 I'm sorry. I didn't --</p> <p>22 MS. WATERMAN: FCPS News.</p>

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<p>1 MS. KRELOFF: Oh, okay.</p> <p>2 And it was saying that --</p> <p>3 MS. HOPPOCK: It was saying that there</p> <p>4 had been some sexual harassment, that [Doe 2] had</p> <p>5 been the perpetrator of sexual harassment and</p> <p>6 that the school needed to investigate.</p> <p>7 MS. KRELOFF: Okay. And this was</p> <p>8 after you started your investigation.</p> <p>9 MS. HOPPOCK: Yes. Yes.</p> <p>10 MS. KRELOFF: Just for the record,</p> <p>11 anything that is produced that is not signed is</p> <p>12 not taken into consideration. So they're just</p> <p>13 -- I just asked about was there any social</p> <p>14 media, and they responded with that. But I</p> <p>15 don't want you to think that we are taking</p> <p>16 something anonymous into account; okay?</p> <p>17 All right. Had there been any</p> <p>18 concerns prior to this about sexual harassment</p> <p>19 or inappropriate touching?</p> <p>20 MS. HOPPOCK: No.</p> <p>21 MS. KRELOFF: Okay. Mr. Anderson.</p> <p>22 MR. ANDERSON: Just one question. And</p>	<p>1 deserve that.</p> <p>2 These students went through an</p> <p>3 emotional experience having had sexual</p> <p>4 harassment comments -- comments made of a</p> <p>5 sexual harassment nature but also inappropriate</p> <p>6 touching with those students from [Doe 2]. [Doe 2]'s</p> <p>7 actions affected the group of students not only</p> <p>8 through the team that he was on and the culture</p> <p>9 of that but also the students which were</p> <p>10 identified in this case.</p> <p>11 It impacted the students'</p> <p>12 instructional time. They were affected by not</p> <p>13 only the actual incidents but the repeated</p> <p>14 nature of them and to the point where they</p> <p>15 could not take it anymore greatly affects the</p> <p>16 impact of keeping our students safe during</p> <p>17 their school day.</p> <p>18 MS. KRELOFF: Ms. Waterman, can you</p> <p>19 say with any degree of certainty given</p> <p>20 education about SR&R and things like this that</p> <p>21 [Doe 2] would have known that this is</p> <p>22 inappropriate?</p>
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<p>1 then we can do the student progress reports</p> <p>2 later. They're positive. But there's just one</p> <p>3 due to the nature of the hearing that I just</p> <p>4 want to ask about. And that's the history</p> <p>5 teacher who wrote that one student had</p> <p>6 complained that [Doe 2] was poking her. Is that</p> <p>7 student one of the three -- or one of the two</p> <p>8 that we're talking about being touched or the</p> <p>9 third that reported it?</p> <p>10 MS. HOPPOCK: No.</p> <p>11 MR. ANDERSON: No.</p> <p>12 That's all. Thanks.</p> <p>13 MS. KRELOFF: Okay. Thank you.</p> <p>14 Ms. Waterman, what is the impact to</p> <p>15 the victims and to your school of this</p> <p>16 incident?</p> <p>17 MS. WATERMAN: Well, school safety is</p> <p>18 not only just protecting students from internal</p> <p>19 and external threats like lockdowns, et cetera.</p> <p>20 It's their emotional safety and their ability</p> <p>21 to go through the building dealing with their</p> <p>22 peers, respect them as individuals. And they</p>	<p>1 MS. WATERMAN: Yes. You know,</p> <p>2 throughout the year we do -- we show not only</p> <p>3 the sexual harassment video through FCPS that</p> <p>4 is required. We show it twice. And we also do</p> <p>5 individual class level SR&R presentations along</p> <p>6 with video supplements. So not only did [Doe 2]</p> <p>7 take the SR&R test and acknowledge that he and</p> <p>8 his parents had both seen that document, it is</p> <p>9 enforced and shown at Lake Braddock.</p> <p>10 MS. KRELOFF: Thank you.</p> <p>11 Any follow-up, Mr. Anderson?</p> <p>12 MR. ANDERSON: No thank you.</p> <p>13 MS. KRELOFF: Okay. Ms. DeFede, do</p> <p>14 you have questions for school?</p> <p>15 MS. DEFEDE: I do.</p> <p>16 So in looking in trying to understand</p> <p>17 the allegations against [Doe 2] and looking at the</p> <p>18 specific statements -- and mine, of course, are</p> <p>19 redacted. So the first one I have is the</p> <p>20 library computer lab. In the course of your</p> <p>21 investigation, was there anybody else present</p> <p>22 in the library when this happened?</p>

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<p>1 MS. HOPPOCK: There were other 2 students present. 3 MS. DEFEBE: And were those students 4 questioned? 5 MS. HOPPOCK: No. 6 MS. DEFEBE: Is there any reason why 7 they weren't questioned as to whether or not 8 they witnessed this exchange? 9 MS. HOPPOCK: Nobody could identify 10 who they were. They said that there were 11 students present. However, it was unclear who 12 those students were. It was after school 13 hours. 14 MS. DEFEBE: And was it difficult to 15 identify because of the length of time between 16 the incident and the report? 17 MS. HOPPOCK: There was -- one of the 18 issues is that a network request -- it was not 19 an investigative course that I could pursue 20 individually. That request would have gone to 21 an outside office. And the timing of that -- 22 our tech team today, in fact, said that they</p>	<p>1 his crotch in the library. 2 MS. HOPPOCK: That is what she 3 reported. 4 MS. DEFEBE: Okay. And then the next 5 statement which is the one regarding the 6 fingernails, this individual says, He kind of 7 nudged me on the side of my breast. 8 MS. HOPPOCK: Yes. 9 MS. DEFEBE: And that is one of the 10 touching incidents in addition to the library 11 incident; is that correct? 12 MS. HOPPOCK: Yes. 13 MS. DEFEBE: And then she had 14 initiated the conversation with him regarding 15 the fake nails. And then, Another time he has 16 touched me was when my friends, girls on the 17 crew team, and I were talking about how some of 18 the girls had a bigger butt or not and were 19 joking around about it. 20 Is she indicating that she and a group 21 of girls were discussing their bodies in Doe 2's 22 presence? Was he part of a conversation about</p>
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<p>1 would have to contact outside groups -- an 2 outside agency to be able to provide me with 3 the names of anybody who was present. 4 MS. DEFEBE: And so this individual 5 claims that in the middle of the library Doe 2 6 grabbed her butt and then touched her crotch. 7 MS. HOPPOCK: Yes. 8 MS. DEFEBE: And did she continue to 9 assert that he grabbed her butt and then 10 touched her crotch? 11 MS. HOPPOCK: Yes. 12 MS. DEFEBE: And then right after 13 that, He had pants on and showing me his penis. 14 Is her allegation that he exposed 15 himself in the middle of the library? 16 MS. HOPPOCK: When asked to clarify 17 that, she said that he had gestured towards his 18 crotch. 19 MS. DEFEBE: In the library? 20 MS. HOPPOCK: Yes. 21 MS. DEFEBE: So grabbed her butt, 22 touched her crotch and then gestured towards</p>	<p>1 that, or did he walk into that conversation? 2 What did that -- do you know what that looked 3 like? 4 MS. HOPPOCK: He was present for the 5 conversation. I do not know at what point he 6 entered or other people entered the 7 conversation. 8 MS. DEFEBE: And during the time when 9 they were having a discussion in Doe 2's presence 10 regarding their bodies, was this during the 11 time that they also felt harassed by Doe 2? 12 MS. HOPPOCK: Yes. 13 MS. DEFEBE: Did you question them at 14 all about why they would discuss their bodies 15 in that manner in Doe 2's presence? 16 MS. HOPPOCK: No. 17 MS. DEFEBE: And then the other 18 allegation she made was the tapped -- put a 19 hand on her hip slash butt. Do we know what 20 time frame this was? 21 MS. HOPPOCK: No. 22 MS. DEFEBE: And then the third</p>

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<p>1 witness statement that I have is regarding</p> <p>2 sexually harassing the girls on the crew team</p> <p>3 and about Doe 2 wearing Spandex and standing on</p> <p>4 the dock and that he grabbed his genitals</p> <p>5 through his Spandex. Did you speak to the</p> <p>6 witnesses at all about what that looks like</p> <p>7 when the crew teams are docking?</p> <p>8 I just don't -- I don't row. So I</p> <p>9 legitimately don't understand that. So if he's</p> <p>10 standing on the dock, are there a bunch of</p> <p>11 boats coming in? Are there a bunch of people</p> <p>12 around? What does that look like?</p> <p>13 MS. HOPPOCK: To the best of my</p> <p>14 knowledge, it was that boat. I don't know if</p> <p>15 there were other boats present or not. So</p> <p>16 there were eight students in that boat at that</p> <p>17 time.</p> <p>18 MS. DEFEDE: Did you interview the</p> <p>19 other students that were in that boat?</p> <p>20 MS. HOPPOCK: No, I did not.</p> <p>21 MS. DEFEDE: Why not?</p> <p>22 MS. HOPPOCK: If one student says that</p>	<p>1 accurate?</p> <p>2 MS. HOPPOCK: Yes.</p> <p>3 MS. DEFEDE: Was there any specific</p> <p>4 incident that caused this to rise to the level</p> <p>5 of harassment in the school's mind as opposed</p> <p>6 to simply inappropriate conduct?</p> <p>7 MS. HOPPOCK: The continuous nature of</p> <p>8 comments about young ladies' bodies. That it</p> <p>9 was not just on these specific incidents that</p> <p>10 were cited but that these were comments that</p> <p>11 they said were being made regularly. When</p> <p>12 asked to confirm what regularly meant to them,</p> <p>13 students said, You know, every day, every</p> <p>14 couple of days.</p> <p>15 And so that it was a persistent</p> <p>16 atmosphere or tone, comments specifically about</p> <p>17 young ladies' bottoms. Another example that</p> <p>18 was provided in the incident report was during</p> <p>19 practice young ladies were stretching in some</p> <p>20 sort of manner that left their bottoms</p> <p>21 particularly on display. I'm assuming it was</p> <p>22 some sort of position where their rears were in</p>
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<p>1 that student saw it, that other students may</p> <p>2 have seen it. They may not have. But one</p> <p>3 student reported seeing it. And that was</p> <p>4 concerning enough.</p> <p>5 MS. DEFEDE: And then this other</p> <p>6 student had the statement regarding asking her</p> <p>7 how a girl doesn't orgasm when she puts a</p> <p>8 tampon in. Did she indicate how that</p> <p>9 conversation came about?</p> <p>10 MS. HOPPOCK: No.</p> <p>11 MS. DEFEDE: Did you ask her how that</p> <p>12 conversation came about, how that statement</p> <p>13 happened?</p> <p>14 MS. HOPPOCK: No.</p> <p>15 MS. DEFEDE: So the incidents that</p> <p>16 we're discussing are on the dock there's an</p> <p>17 allegation that Doe 2 grabbed his crotch. In the</p> <p>18 library there's an allegation that he touched</p> <p>19 her butt, touched her crotch and grabbed his</p> <p>20 genitals. And then on another occasion he may</p> <p>21 have nudged a girl on the side of the breast</p> <p>22 and tapped a hand on her hip and butt. Is that</p>	<p>1 the air and that there was a comment made</p> <p>2 about, I like the view from here.</p> <p>3 And so that kind of comment the girls</p> <p>4 provided as an example of a typical comment</p> <p>5 that had been made.</p> <p>6 MS. DEFEDE: Do we know when they say</p> <p>7 that Doe 2 made persistent comments regarding</p> <p>8 their bodies, do we know whether or not that</p> <p>9 was when they were also partaking in</p> <p>10 conversations, describing their bodies in front</p> <p>11 of Doe 2, or were those separate comments he</p> <p>12 made? Was he participating in the conversation</p> <p>13 with them, or was he just making random</p> <p>14 comments?</p> <p>15 MS. HOPPOCK: I heard two different</p> <p>16 questions in that. Could you clarify that,</p> <p>17 please.</p> <p>18 MS. DEFEDE: Yes. So we know that</p> <p>19 they felt comfortable enough in front of Ian to</p> <p>20 discuss their nails, to discuss tampons and</p> <p>21 discuss their bodies. Do we know when he was</p> <p>22 making comments, allegedly, regarding their</p>

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<p>1 bodies whether that was because they were</p> <p>2 having a discussion about their own bodies in</p> <p>3 his presence and he was joining the</p> <p>4 conversation --</p> <p>5 MS. HOPPOCK: I don't know.</p> <p>6 MS. DEFEDE: -- or whether --</p> <p>7 MS. HOPPOCK: I don't know.</p> <p>8 MS. DEFEDE: And the recommendation</p> <p>9 from the school was that Doe 2 be transferred to</p> <p>10 an alternative school. Could you tell me why</p> <p>11 you believe an alternative school would be an</p> <p>12 appropriate placement for Doe 2</p> <p>13 MS. HOPPOCK: There was a concern</p> <p>14 about the pattern of sexual harassment in the</p> <p>15 presence of young ladies who felt victimized by</p> <p>16 those comments.</p> <p>17 MS. DEFEDE: So the alternative school</p> <p>18 would be an appropriate placement -- I'm sorry.</p> <p>19 So the extra level of supervision at an</p> <p>20 alternative school would be appropriate for Doe 2</p> <p>21 to prevent harassment in the future?</p> <p>22 MS. HOPPOCK: To protect the young</p>	<p>1 witnessed or had any suspicions regarding any</p> <p>2 of this going on either?</p> <p>3 MS. HOPPOCK: The crew coach reported</p> <p>4 that they did not know that this had been</p> <p>5 happening.</p> <p>6 MS. DEFEDE: I don't have any more</p> <p>7 questions. Thank you.</p> <p>8 MS. KRELOFF: Thank you.</p> <p>9 I did forget one question, and I</p> <p>10 apologize. Are there any charges from the</p> <p>11 families on this?</p> <p>12 MS. HOPPOCK: Not at this time, no.</p> <p>13 MS. KRELOFF: Not that you -- okay.</p> <p>14 Thank you.</p> <p>15 All right. Doe 2 --</p> <p>16 MR. ANDERSON: Can I just follow up?</p> <p>17 MS. KRELOFF: Please.</p> <p>18 MR. ANDERSON: The at-this-time thing</p> <p>19 always causes me to pause.</p> <p>20 MS. HOPPOCK: Sure.</p> <p>21 MR. ANDERSON: Do you have any</p> <p>22 inclination if anybody's considering pressing</p>
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<p>1 ladies who were victims of the comments that</p> <p>2 had been made and the improper touching that</p> <p>3 was part of this referral.</p> <p>4 MS. DEFEDE: At the current school.</p> <p>5 MS. HOPPOCK: Yes.</p> <p>6 MS. WATERMAN: In addition, you know,</p> <p>7 going to another regular school, Doe 2 -- you</p> <p>8 know, if he participates in the other</p> <p>9 activities, the concern is that the</p> <p>10 pervasiveness of this and the ongoing nature of</p> <p>11 that is a concern. And to put Doe 2 in a like</p> <p>12 school is certainly not our choice. However,</p> <p>13 that is our recommendation.</p> <p>14 MS. DEFEDE: And as far as Ian's</p> <p>15 reputation at school, was this the sort of</p> <p>16 thing that you expected from Doe 2? Was it the</p> <p>17 kind of reputation he had as far as harassing</p> <p>18 other girls?</p> <p>19 MS. HOPPOCK: This was the first</p> <p>20 incident of harassment involving Doe 2 that had</p> <p>21 ever been brought to my attention.</p> <p>22 MS. DEFEDE: And had the crew coaches</p>	<p>1 charges, or have the parents expressed any</p> <p>2 interest in --</p> <p>3 MS. HOPPOCK: Not that I know of, no.</p> <p>4 MR. ANDERSON: Okay. So there's no</p> <p>5 charges.</p> <p>6 MS. HOPPOCK: Correct. Correct.</p> <p>7 MS. KRELOFF: All right. Doe 2 just</p> <p>8 one sec.</p> <p>9 Ms. DeFede, is he going to speak about</p> <p>10 this?</p> <p>11 MS. DEFEDE: Yes.</p> <p>12 MS. KRELOFF: Okay. All right.</p> <p>13 If in doubt, look to your attorney and</p> <p>14 your parent; okay?</p> <p>15 All right. So the first question I</p> <p>16 have was, what you heard, was it accurate,</p> <p>17 somewhat accurate or not accurate at all?</p> <p>18 MR. Doe 2: It's not accurate at</p> <p>19 all, because I never inappropriately touched or</p> <p>20 sexually harassed another student.</p> <p>21 MS. KRELOFF: So you're denying all</p> <p>22 allegations.</p>

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<p>1 MR. [Doe 2]: I'm denying it to the</p> <p>2 point that some of the things were true but</p> <p>3 mostly false.</p> <p>4 MS. KRELOFF: Okay. So maybe -- in</p> <p>5 that case, maybe we ought to start out with</p> <p>6 what was true. Normally I start with what was</p> <p>7 false. But let's do true. So what was true?</p> <p>8 MR. [Doe 2]: The talking in the</p> <p>9 weight room with other guys about people not</p> <p>10 only on the team but in general in the school,</p> <p>11 celebrities, just people walking in the hallway</p> <p>12 amongst guys.</p> <p>13 MS. KRELOFF: So was this about</p> <p>14 women's bodies or --</p> <p>15 MR. [Doe 2]: Yeah. And it was</p> <p>16 just about like the things that have a sexual</p> <p>17 nature to it.</p> <p>18 MS. KRELOFF: Okay. What else?</p> <p>19 MR. [Doe 2]: Comments made toward</p> <p>20 the -- about the tampon and the fingernails</p> <p>21 were comments that were made.</p> <p>22 MS. KRELOFF: That you made.</p>	<p>1 breast?</p> <p>2 MR. [Doe 2]: Yes.</p> <p>3 MS. KRELOFF: And you're saying you</p> <p>4 did not touch the girl's hip?</p> <p>5 MR. [Doe 2]: Yes.</p> <p>6 MS. KRELOFF: And you did not touch a</p> <p>7 girl on the buttocks?</p> <p>8 MR. [Doe 2]: No.</p> <p>9 MS. KRELOFF: Okay. Do school rules</p> <p>10 allow you to sexually harass students?</p> <p>11 MR. [Doe 2]: No.</p> <p>12 MS. KRELOFF: Did you do this?</p> <p>13 MR. [Doe 2]: No.</p> <p>14 MS. KRELOFF: So you did not make</p> <p>15 repeated comments of a sexual nature that made</p> <p>16 students feel uncomfortable?</p> <p>17 MR. [Doe 2]: Not in my view of it.</p> <p>18 MS. KRELOFF: All right. So let's go</p> <p>19 through this. And I'm just trying to make sure</p> <p>20 I have everything down that you said. So did</p> <p>21 you at any point refer to your crotch when you</p> <p>22 were talking to the girls at the dock?</p>
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<p>1 MR. [Doe 2]: Yeah.</p> <p>2 MS. KRELOFF: Okay. Anything else?</p> <p>3 No?</p> <p>4 All right. Well, let's start out with</p> <p>5 the rules. And then we'll move out from there.</p> <p>6 So do you understand -- do school rules allow</p> <p>7 you to touch other people inappropriately,</p> <p>8 which means in a sexual way, breasts, buttocks,</p> <p>9 crotch?</p> <p>10 MR. [Doe 2]: No.</p> <p>11 MS. KRELOFF: Okay. Did you do any of</p> <p>12 these things? Did you touch them on the</p> <p>13 breast, buttocks or crotch?</p> <p>14 Just a second.</p> <p>15 MR. [Doe 2]: I only touched</p> <p>16 [Student A] in between her belly button and</p> <p>17 pelvic area.</p> <p>18 MS. KRELOFF: Okay. Do school rules</p> <p>19 allow -- so basically what you're saying is the</p> <p>20 -- because I want to make sure I have</p> <p>21 everything absolutely by now your side of this.</p> <p>22 You're saying you did not touch the girl on the</p>	<p>1 MR. [Doe 2]: No.</p> <p>2 MS. KRELOFF: I had a problem with</p> <p>3 when I was reading this that you said you</p> <p>4 touched the girl's stomach. And then you said</p> <p>5 you touched her crotch by accident.</p> <p>6 MR. [Doe 2]: Because -- am I</p> <p>7 explaining what --</p> <p>8 MS. KRELOFF: Please, yeah.</p> <p>9 MR. [Doe 2]: So we were -- or I</p> <p>10 was walking to the library. And [Student A] met</p> <p>11 me in the hallway. I don't think she meant to</p> <p>12 meet me, but she just saw me in the hallway.</p> <p>13 She pushed me and said, Where are you going?</p> <p>14 I told her that I was going to the</p> <p>15 library. And then she asked, Can I come with</p> <p>16 you?</p> <p>17 And then I said, No, because your</p> <p>18 practice is about to start.</p> <p>19 [Student A] told me that she didn't want</p> <p>20 to go to stretching, which is the first part of</p> <p>21 her practice. So she came with me to the</p> <p>22 library. We sat down at the computer station.</p>

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<p>1 Do you have the --</p> <p>2 MR. [Doe 1]: It's in one of the</p> <p>3 folders here.</p> <p>4 MS. DEFEDE: That's okay. Just</p> <p>5 keep --</p> <p>6 MS. KRELOFF: Just tell me.</p> <p>7 MR. [Doe 2]: We were sitting down</p> <p>8 at the computer station and talking about our</p> <p>9 semester grades, because the term just</p> <p>10 finished. And I pulled up my grades on SIS and</p> <p>11 was looking at them to see what my teachers put</p> <p>12 in. And [Student A] said, Oh my God, your grades</p> <p>13 are so good.</p> <p>14 And then she was feeling low and down,</p> <p>15 because she told me that her grades were not</p> <p>16 good. So I pushed her off the desk on the</p> <p>17 shoulder and said, [Student A], you can get your</p> <p>18 grades up.</p> <p>19 And then she said, I know.</p> <p>20 And then we both started laughing, and</p> <p>21 we were poking each other. And I went in for</p> <p>22 her belly button. And she fell back in her</p>	<p>1 you wrote in your statement about, I</p> <p>2 accidentally touched her down there.</p> <p>3 Why didn't you say I accidentally</p> <p>4 touched her in her stomach or pelvis?</p> <p>5 MR. [Doe 2]: Because it wasn't --</p> <p>6 down there refers to between her stomach and</p> <p>7 pelvis. It's not in her crotch.</p> <p>8 MS. KRELOFF: Okay. Then why would</p> <p>9 she say, Don't do it again?</p> <p>10 MR. [Doe 2]: She said that after</p> <p>11 the fact it happened and then left.</p> <p>12 MS. KRELOFF: Did you make a comment</p> <p>13 about girls' breasts?</p> <p>14 MR. [Doe 2]: No.</p> <p>15 MS. KRELOFF: About the girl losing</p> <p>16 weight?</p> <p>17 MR. [Doe 2]: No.</p> <p>18 MS. KRELOFF: Did you make the comment</p> <p>19 about the tampon?</p> <p>20 MR. [Doe 2]: Yes.</p> <p>21 MS. KRELOFF: Why would you do that?</p> <p>22 MR. [Doe 2]: Because we were just</p>
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<p>1 seat and -- with no back on it. The chair was</p> <p>2 faced sideways. And she fell back. And then</p> <p>3 before my pointer finger touched between her</p> <p>4 pelvis and her stomach, she caught herself, and</p> <p>5 my pointer finger touched between her pelvis</p> <p>6 and her stomach.</p> <p>7 MS. KRELOFF: Okay. But you said, I</p> <p>8 accidentally touched her down there and that</p> <p>9 she said, Don't do it again.</p> <p>10 MR. [Doe 2]: She never said those</p> <p>11 words.</p> <p>12 MS. KRELOFF: But this is your</p> <p>13 statement.</p> <p>14 MR. [Doe 2]: Oh, after, yeah. She</p> <p>15 said, Don't do it again after -- when the whole</p> <p>16 incident finished. And she got up, cursed</p> <p>17 something under her breath, said, Don't do it</p> <p>18 again, and then walked away. And she was still</p> <p>19 laughing during that time.</p> <p>20 MS. KRELOFF: Okay. I'm confused. So</p> <p>21 if you guys were joking around -- well, first</p> <p>22 of all, I don't quite see why you wrote what</p>	<p>1 having a conversation about things that</p> <p>2 teenagers have conversations about.</p> <p>3 MS. KRELOFF: And you thought it was</p> <p>4 appropriate to ask these girls about orgasm?</p> <p>5 MR. [Doe 2]: I mean, I didn't</p> <p>6 think about what the effect would be when I</p> <p>7 asked this question.</p> <p>8 MS. KRELOFF: You didn't have any idea</p> <p>9 that it would make them have any kind of</p> <p>10 discomfort from that?</p> <p>11 MR. [Doe 2]: No, because the</p> <p>12 people who I asked this question to are people</p> <p>13 who I've known for like six and seven years.</p> <p>14 And we've talked about these kind of things</p> <p>15 before, and nothing happened.</p> <p>16 MS. KRELOFF: So you're friends.</p> <p>17 MR. [Doe 2]: Yeah.</p> <p>18 MS. KRELOFF: So why if they're your</p> <p>19 friends and you've known them so long would</p> <p>20 they come forward and make --</p> <p>21 MR. [Doe 2]: Because I don't think</p> <p>22 the --</p>

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<p>1 MS. KRELOFF: Well, let me finish.</p> <p>2 You're saying that these people have</p> <p>3 been your friends for six years; right?</p> <p>4 (Mr. Doe 2 nods head.)</p> <p>5 MS. KRELOFF: They have gone to school</p> <p>6 staff, and they have made very serious</p> <p>7 allegations. School staff says they have done</p> <p>8 an investigation, and they found them credible.</p> <p>9 You are now saying they are your friends. Why</p> <p>10 would they say -- make these things up?</p> <p>11 MR. Doe 2: Because I don't think</p> <p>12 the person who went to school staff was part of</p> <p>13 that conversation.</p> <p>14 MS. KRELOFF: But these people in --</p> <p>15 who were interviewed were. And they said that</p> <p>16 you did these things. So I am unclear as to</p> <p>17 why people you determine are friends would then</p> <p>18 make allegations against you if they are not</p> <p>19 true.</p> <p>20 MR. Doe 2: One of the girls who</p> <p>21 was in part of that conversation, we've had a</p> <p>22 friendship where she has lied to me about so</p>	<p>1 and get a chance to answer it; okay?</p> <p>2 But if you have been friends with them</p> <p>3 for six years, and they have gone to tell this</p> <p>4 that they feel harassed that you did touch</p> <p>5 them, I do not understand how all three of</p> <p>6 these young ladies would make it up if they are</p> <p>7 your friends.</p> <p>8 MR. Doe 2: But I just said one</p> <p>9 of them was the -- it was the commentary. It</p> <p>10 wasn't the touching. The touching I just --</p> <p>11 those people I just met this year. And I</p> <p>12 didn't even touch one of them.</p> <p>13 MS. KRELOFF: Okay. Then let me</p> <p>14 rephrase. Why would any of these people go to</p> <p>15 school staff and say you did these things if</p> <p>16 you did not?</p> <p>17 MR. Doe 2: Because the girl in</p> <p>18 the library didn't view it as an accident. And</p> <p>19 she didn't tell anybody for two weeks, gathered</p> <p>20 a group of girls together -- and I have proof</p> <p>21 of someone who overheard this conversation in</p> <p>22 the hallway and then told me the day before I</p>
Page 48	Page 50
<p>1 many things. And this conversation was before</p> <p>2 the fact that I told her mother something that</p> <p>3 she did, because her mother told me to keep</p> <p>4 tabs on her, because she's lied about various</p> <p>5 things, and they were serious topics.</p> <p>6 MS. KRELOFF: Did you tell school</p> <p>7 this?</p> <p>8 MR. Doe 2: No.</p> <p>9 MS. KRELOFF: Why not? When they were</p> <p>10 investigating you for this, why did --</p> <p>11 Is this the first you have heard of</p> <p>12 this story?</p> <p>13 MS. HOPPOCK: Yes.</p> <p>14 MS. WATERMAN: Yes.</p> <p>15 MS. KRELOFF: Okay. Why are you just</p> <p>16 now telling this story?</p> <p>17 MR. Doe 2: Because I wasn't sure</p> <p>18 of who the person was that made the allegation.</p> <p>19 MS. KRELOFF: No, Doe 2, I'm sorry. It</p> <p>20 doesn't add up. And I'm not trying to do</p> <p>21 anything but get to the truth here. But I</p> <p>22 think it's better you know what I'm thinking</p>	<p>1 was pulled out of class. They told me that</p> <p>2 they were discussing how to get me kicked off</p> <p>3 the crew team.</p> <p>4 MS. KRELOFF: But was it because they</p> <p>5 felt harassed, or what was that about?</p> <p>6 MR. Doe 2: They didn't -- she</p> <p>7 didn't tell me, but they told me that there was</p> <p>8 a group of girls talking about me because I</p> <p>9 inappropriately touched a girl named Student A.</p> <p>10 And they were discussing how to get me kicked</p> <p>11 off the crew team.</p> <p>12 MS. KRELOFF: Okay. All right. I've</p> <p>13 written that down. But that doesn't change the</p> <p>14 fact that these people who you say are your</p> <p>15 friends went to school staff and said some very</p> <p>16 specific allegations. And you are just now</p> <p>17 saying these things. Why didn't you tell any</p> <p>18 of this to school staff as they were</p> <p>19 investigating?</p> <p>20 MR. Doe 2: I don't know why I</p> <p>21 didn't say that.</p> <p>22 MS. KRELOFF: Okay. I don't either.</p>

Transcript of hearing

15 (51 - 54)

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Page 51	Page 53
<p>1 All right. Did you make comments</p> <p>2 about your teammates' buttocks?</p> <p>3 MR. [Doe 2]: Yes, to other boys on</p> <p>4 the crew team.</p> <p>5 MS. KRELOFF: You think that's</p> <p>6 appropriate?</p> <p>7 MR. [Doe 2]: If it's amongst boys.</p> <p>8 MS. KRELOFF: Really?</p> <p>9 MR. [Doe 2]: Yeah, because I'm not</p> <p>10 the one who always initiates the conversations.</p> <p>11 MS. KRELOFF: Who initiates is not</p> <p>12 important. I'm asking you if you think that's</p> <p>13 appropriate. You're in a school setting.</p> <p>14 You're participating in a school activity. Why</p> <p>15 would you talk about girls in this manner even</p> <p>16 to boys?</p> <p>17 MR. [Doe 2]: I guess everybody</p> <p>18 does it.</p> <p>19 MS. KRELOFF: Everybody does it. I</p> <p>20 don't think everybody does it.</p> <p>21 All right. Did you say a girl was</p> <p>22 sexy?</p>	<p>1 like this for a sexual purpose.</p> <p>2 MS. KRELOFF: Well, if they're sexual</p> <p>3 comments, what would be the purpose of it?</p> <p>4 MR. [Doe 2]: Jokingly.</p> <p>5 MS. KRELOFF: That doesn't change that</p> <p>6 it's a sexual purpose.</p> <p>7 So you were making comments, but why</p> <p>8 would you say the word violate?</p> <p>9 MR. [Doe 2]: Because I didn't know</p> <p>10 it would have that kind of effect on them,</p> <p>11 because, I mean, like other people who are my</p> <p>12 friends have heard comments like this before,</p> <p>13 and nothing's happening.</p> <p>14 MS. KRELOFF: Usually when somebody</p> <p>15 says I didn't intend to violate anyone, it's</p> <p>16 talking about a physical way. I don't quite</p> <p>17 understand what you meant by the use -- you're</p> <p>18 a very articulate young man. You're very</p> <p>19 intelligent. So I would think that your choice</p> <p>20 of words was very keen here. And so what I'm</p> <p>21 asking is, what does it mean, I didn't intend</p> <p>22 to violate anyone?</p>
Page 52	Page 54
<p>1 MR. [Doe 2]: No.</p> <p>2 MS. KRELOFF: Did any of these girls</p> <p>3 tell you to stop?</p> <p>4 MR. [Doe 2]: No.</p> <p>5 MS. KRELOFF: You told me in the</p> <p>6 library --</p> <p>7 MR. [Doe 2]: Except for Student A</p> <p>8 after the fact that it happened. And nothing</p> <p>9 transpired after that.</p> <p>10 MS. KRELOFF: Okay. But, [Doe 2], do you</p> <p>11 understand how it comes across when -- okay.</p> <p>12 So no but then yes to the library situation.</p> <p>13 Did you ever post anything about these</p> <p>14 girls on social media?</p> <p>15 MR. [Doe 2]: No.</p> <p>16 MS. KRELOFF: Okay. What does it mean</p> <p>17 when you said to school staff, I did not intend</p> <p>18 to violate anyone?</p> <p>19 MR. [Doe 2]: That means that I</p> <p>20 wasn't doing it for a sexual purpose or for --</p> <p>21 MS. KRELOFF: Doing what?</p> <p>22 MR. [Doe 2]: Like making comments</p>	<p>1 MR. [Doe 2]: It means that I</p> <p>2 didn't intend to cross a, like, boundary that</p> <p>3 wouldn't have been crossed but until after the</p> <p>4 fact that apparently it was.</p> <p>5 MS. KRELOFF: So you're saying that</p> <p>6 you see that you did cross a boundary?</p> <p>7 MR. [Doe 2]: Yeah.</p> <p>8 MS. KRELOFF: One witness says you</p> <p>9 were a close friend, but the harassment had</p> <p>10 gotten too much since Christmas.</p> <p>11 MR. [Doe 2]: We were never close</p> <p>12 friends.</p> <p>13 MS. KRELOFF: Do you know who said</p> <p>14 this?</p> <p>15 MR. [Doe 2]: Yeah.</p> <p>16 MS. KRELOFF: Okay. So you're denying</p> <p>17 the friendship?</p> <p>18 MR. [Doe 2]: Yeah.</p> <p>19 MS. KRELOFF: But just a few minutes</p> <p>20 ago, you said these people are my friends.</p> <p>21 MR. [Doe 2]: I meant one of the</p> <p>22 people who was in the conversation about the</p>

Transcript of hearing

16 (55 - 58)

3/9/2018

Page 55	Page 57
<p>1 tampon was my friend for six -- for seven</p> <p>2 years.</p> <p>3 MS. KRELOFF: And which one was that?</p> <p>4 MR. [Doe 2]: Her name's [M]</p> <p>5 MS. KRELOFF: [M] Okay.</p> <p>6 MR. ANDERSON: [M]?</p> <p>7 MS. KRELOFF: I've got to look too,</p> <p>8 because I don't --</p> <p>9 MR. ANDERSON: Well, the students that</p> <p>10 reported the orgasm thing, there's no [M],</p> <p>11 so it's other people that said they heard it.</p> <p>12 And one question if I could just add</p> <p>13 on top of your --</p> <p>14 MS. KRELOFF: Please, Mr. Anderson.</p> <p>15 MR. ANDERSON: I think you had</p> <p>16 responded that you had only made the comments</p> <p>17 about girls' butts and things like that to</p> <p>18 other boys.</p> <p>19 MR. [Doe 2]: Yes.</p> <p>20 MR. ANDERSON: Okay. So the female</p> <p>21 students that are saying they hear you saying</p> <p>22 these things like liking the view, that came</p>	<p>1 it, and they just said that I said it to them.</p> <p>2 MS. KRELOFF: Let me just do a</p> <p>3 follow-up with school.</p> <p>4 Is it correct that two boys reported</p> <p>5 [Doe 2] making verbal sexual comments or reported</p> <p>6 verbal sexual misconduct to their coach? Is</p> <p>7 that accurate?</p> <p>8 MS. WATERMAN: They confirmed. They</p> <p>9 said they were aware of the situation.</p> <p>10 MS. KRELOFF: Did they actually</p> <p>11 witness or hear of it, or do you know?</p> <p>12 MS. HOPPOCK: I do not know.</p> <p>13 MS. KRELOFF: But is it accurate that</p> <p>14 they said they did report it?</p> <p>15 MS. WATERMAN: Yes. Two boys came up</p> <p>16 during this discussion and said they were aware</p> <p>17 of the situation. And the coach asked them not</p> <p>18 to discuss it within their team.</p> <p>19 MS. KRELOFF: Okay. So it's confirmed</p> <p>20 they did come up.</p> <p>21 MS. WATERMAN: Correct.</p> <p>22 MR. ANDERSON: And not the coach</p>
Page 56	Page 58
<p>1 from a female student that said this is what</p> <p>2 you said in her presence, not that you were</p> <p>3 talking to some boy, hey, I like the view, is</p> <p>4 that just false?</p> <p>5 MR. [Doe 2]: Yes.</p> <p>6 MR. ANDERSON: Okay. So and the</p> <p>7 tampon comment, though, you made to [M]</p> <p>8 MR. [Doe 2]: Yeah, to [M] and</p> <p>9 one of her other friends named [L] who was</p> <p>10 present. Those are the only two girls that</p> <p>11 I've made that comment to.</p> <p>12 MR. ANDERSON: Okay. And who did you</p> <p>13 make the fingering yourself comment to?</p> <p>14 MR. [Doe 2]: [Student B].</p> <p>15 MR. ANDERSON: So you did make that</p> <p>16 comment to her.</p> <p>17 MR. [Doe 2]: Yeah.</p> <p>18 MR. ANDERSON: But neither of the two</p> <p>19 kids you mentioned about the tampon are the</p> <p>20 ones that mentioned the --</p> <p>21 MR. [Doe 2]: I know. That's why I</p> <p>22 said I didn't -- I thought someone overheard</p>	<p>1 sought it out. Because when I read that</p> <p>2 e-mail, it sounded as if after this came up the</p> <p>3 coach was talking to the whole team just about</p> <p>4 everybody behave, something broad like that.</p> <p>5 And then two boys came up to the coach and said</p> <p>6 something to the effect that we know what</p> <p>7 you're talking about. And one of them said,</p> <p>8 I've seen [Doe 2] being super touchy, is the quote</p> <p>9 that's in there somewhere.</p> <p>10 MS. WATERMAN: Correct.</p> <p>11 MS. KRELOFF: So that leads us, [Doe 2],</p> <p>12 to we have two boys here who did go to your</p> <p>13 coach and saying you've been touching these</p> <p>14 girls. What would you like to say to that?</p> <p>15 MR. [Doe 2]: I know exactly who</p> <p>16 those two people are.</p> <p>17 MS. KRELOFF: Well, I don't, so --</p> <p>18 MR. [Doe 2]: I'm going to explain.</p> <p>19 MS. KRELOFF: Okay. Please.</p> <p>20 MR. [Doe 2]: One of them is</p> <p>21 [Student A]'s brother. And I knew that he was</p> <p>22 one of them because, one, he blocked me on all</p>

Transcript of hearing

17 (59 - 62)

3/9/2018

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<p>1 social media and text message and left any</p> <p>2 group chats what I was in or kicked me out of</p> <p>3 group chats that I was in. The other one is</p> <p>4 G R He is one of Student A's</p> <p>5 brother's friends. Student A's brother's name</p> <p>6 is B by the way. And he has hated me</p> <p>7 ever since crew season last year.</p> <p>8 I don't know for what reason. But</p> <p>9 anything that I say or do, he always</p> <p>10 contradicts it in my presence. And I am with</p> <p>11 him after school, because I don't have a ride</p> <p>12 back to school, so I'm in the hallway sometimes</p> <p>13 or walking back from the library. I just meet</p> <p>14 up with him. And he just, like, comments</p> <p>15 everything that I do.</p> <p>16 MS. KRELOFF: Mr. Anderson, questions</p> <p>17 for Doe 2?</p> <p>18 MR. ANDERSON: No.</p> <p>19 And just to be fair, I mean, when the</p> <p>20 kid said super touchy in the incident report,</p> <p>21 you clarified it as like touching her in the,</p> <p>22 you know, back of the arms and lower back, not</p>	<p>1 So this one is Student A's statement. Okay.</p> <p>2 Is Student A your friend?</p> <p>3 MR. Doe 2: No. She's an</p> <p>4 acquaintance.</p> <p>5 MS. DEFEBE: When did you -- why do</p> <p>6 you describe her as an acquaintance?</p> <p>7 MR. Doe 2: Because I met her</p> <p>8 this year at a learn-to-row camp during</p> <p>9 September and October. And I've known her</p> <p>10 brother since last year. But I only met</p> <p>11 Student A this year. And we don't have any</p> <p>12 classes together. The only time I really talk</p> <p>13 to her is if I see her in the hallway. I say</p> <p>14 hi, Student A and stuff.</p> <p>15 MS. DEFEBE: And when she saw you in</p> <p>16 the hallway that day, she approached you. She</p> <p>17 wanted to accompany you into the library.</p> <p>18 MR. Doe 2: Uh-huh.</p> <p>19 MS. DEFEBE: Did she appear fearful of</p> <p>20 you in any way?</p> <p>21 MR. Doe 2: No. She was like</p> <p>22 pushing me in the hallway and laughing with me.</p>
Page 60	Page 62
<p>1 that any of the boys said I've seen him touch</p> <p>2 breasts or bottoms or things like that.</p> <p>3 MS. HOPPOCK: Correct.</p> <p>4 MR. ANDERSON: So I just -- not that</p> <p>5 you should be necessarily putting your hands on</p> <p>6 kids. I mean, every once in a while you'll</p> <p>7 shake somebody's hand or say how's it going,</p> <p>8 pat, pat. But I'm hoping you're at least</p> <p>9 hearing that --</p> <p>10 MR. Doe 2: Yes.</p> <p>11 MR. ANDERSON: -- you know, there's</p> <p>12 people that are seeing things like this and</p> <p>13 it's making them notice or at least feel</p> <p>14 uncomfortable, you know, that led to that</p> <p>15 confirmation. But I didn't want to imply that</p> <p>16 any of the boys had said they had witnessed you</p> <p>17 I guess what a term would be like a potential</p> <p>18 sexual assault, anything of that nature.</p> <p>19 MS. KRELOFF: Okay. Ms. DeFede, did</p> <p>20 you want to ask --</p> <p>21 MS. DEFEBE: I do.</p> <p>22 So if we could go to the statements.</p>	<p>1 And there's no fearful feeling in any way.</p> <p>2 MS. DEFEBE: And when you all are</p> <p>3 sitting at the computer lab and you're joking</p> <p>4 around, are there other students around?</p> <p>5 MR. Doe 2: Yes.</p> <p>6 MS. DEFEBE: And do you -- you said</p> <p>7 she felt bad about her grades, so you were</p> <p>8 giving her a shove.</p> <p>9 MR. Doe 2: Yeah. I wanted to</p> <p>10 like put her spirits up, because she was laying</p> <p>11 down, like, on the desk, and she just looked</p> <p>12 like she was about to cry.</p> <p>13 MS. DEFEBE: Okay. And so did you</p> <p>14 start joking with her at that point?</p> <p>15 MR. Doe 2: Yeah.</p> <p>16 MS. DEFEBE: Okay. And during that</p> <p>17 poking around time, you fully admit you</p> <p>18 accidentally touched her?</p> <p>19 MR. Doe 2: Yeah.</p> <p>20 MS. DEFEBE: Did you grab her butt --</p> <p>21 MR. Doe 2: No.</p> <p>22 MS. DEFEBE: -- in the middle of the</p>

Transcript of hearing

18 (63 - 66)

3/9/2018

Page 63	Page 65
<p>1 library?</p> <p>2 MR. [Doe 2]: No.</p> <p>3 MS. DEFEBE: Did you pull on your</p> <p>4 pants and show her your penis --</p> <p>5 MR. [Doe 2]: No.</p> <p>6 MS. DEFEBE: -- in the middle of the</p> <p>7 library?</p> <p>8 Okay. Did you know why she was upset</p> <p>9 when she said chill out or don't do that again</p> <p>10 or whatever it is she said when she left?</p> <p>11 MR. [Doe 2]: Because my hand</p> <p>12 touched in her pelvic area.</p> <p>13 MS. DEFEBE: Okay. Did you apologize</p> <p>14 to her at the time? Did you react?</p> <p>15 MR. [Doe 2]: No. I wanted to</p> <p>16 apologize to her, but she just kept avoiding</p> <p>17 me.</p> <p>18 MS. DEFEBE: So now we have [Student B], is</p> <p>19 that correct, with the fingernails?</p> <p>20 MR. [Doe 2]: Uh-huh.</p> <p>21 MS. DEFEBE: Okay. [R] has always</p> <p>22 been a close -- or Ian has always been a close</p>	<p>1 not participating.</p> <p>2 MR. [Doe 2]: Two weeks I was not</p> <p>3 participating.</p> <p>4 MS. DEFEBE: Okay. So when she came</p> <p>5 back from winter break, she was showing you her</p> <p>6 fake nails. You know, why would she think you</p> <p>7 were interested in her fake nails? Why was</p> <p>8 that a conversation?</p> <p>9 MR. [Doe 2]: I mean, I don't know.</p> <p>10 MS. DEFEBE: Okay. And so when she</p> <p>11 showed them to you, you all started commenting</p> <p>12 about them and talking about them?</p> <p>13 MR. [Doe 2]: Uh-huh.</p> <p>14 MS. DEFEBE: Okay. Did she make --</p> <p>15 why did you ask her this question?</p> <p>16 MR. [Doe 2]: The question or</p> <p>17 statement?</p> <p>18 MS. DEFEBE: The statement, You'd cut</p> <p>19 yourself if you fingered with those nails.</p> <p>20 MR. [Doe 2]: Yeah. Okay. So --</p> <p>21 MS. DEFEBE: Did you say that?</p> <p>22 MR. [Doe 2]: Yes.</p>
Page 64	Page 66
<p>1 friend of mine.</p> <p>2 Have you always been a close friend of</p> <p>3 [Student B]?</p> <p>4 MR. [Doe 2]: No.</p> <p>5 MS. DEFEBE: When did you meet [Student B]?</p> <p>6 MR. [Doe 2]: This year.</p> <p>7 MS. DEFEBE: But from around before</p> <p>8 winter break to now more in 2018, [Doe 2] has said</p> <p>9 or touched me uncomfortably, commented on the</p> <p>10 other girls on our team saying how big their</p> <p>11 butts are, how nice they are.</p> <p>12 How much time did you spend on the</p> <p>13 crew team during the winter conditioning</p> <p>14 season?</p> <p>15 MR. [Doe 2]: Every day.</p> <p>16 MS. DEFEBE: Okay. How about fall?</p> <p>17 MR. [Doe 2]: One of the three</p> <p>18 weeks.</p> <p>19 MS. DEFEBE: Why?</p> <p>20 MR. [Doe 2]: I had a sprained</p> <p>21 ankle.</p> <p>22 MS. DEFEBE: So for two weeks you were</p>	<p>1 MS. DEFEBE: Okay. Why?</p> <p>2 MR. [Doe 2]: [G] the other two</p> <p>3 weeks before -- around two weeks before this</p> <p>4 incident happened, [G] made that same</p> <p>5 comment to an older girl named [A] on our</p> <p>6 team who's my coxswain, the person who steers</p> <p>7 the boat. So and she got a kick out of it.</p> <p>8 Like, nothing -- there was no discomfort of any</p> <p>9 kind. And then when I said it to [Student B] she --</p> <p>10 they didn't say anything except laugh and then</p> <p>11 said, like, Oh, [Doe 2] stop it.</p> <p>12 And that was the end of that</p> <p>13 conversation. And everybody was laughing in</p> <p>14 that whole friend group of hers, whatever.</p> <p>15 MS. DEFEBE: So you were repeating</p> <p>16 something that had earlier been said --</p> <p>17 MR. [Doe 2]: Yeah.</p> <p>18 MS. DEFEBE: -- for the crew team.</p> <p>19 Does the crew team talk -- have a lot</p> <p>20 of sexual conversations?</p> <p>21 MR. [Doe 2]: Yes.</p> <p>22 MS. DEFEBE: How frequently do members</p>

Transcript of hearing

19 (67 - 70)

3/9/2018

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1 of the crew team have sexual conversations?
 2 MR. [Doe 2]: Like, all the time,
 3 because it's -- we're with members of the crew
 4 team all the time especially in the spring.
 5 And we're like with them every Saturday. And
 6 all these things transpired during that.

7 MS. DEFEDE: Now, what about this
 8 conversation regarding how much weight she,
 9 which I guess is somebody's sister, had lost?
 10 She still has a nice butt, noticed how much
 11 smaller her boobs had gotten, and then you
 12 nudged the side of her breast.

13 Did this conversation ever occur?

14 MR. [Doe 2]: No. But a
 15 conversation about her sister did occur. One
 16 of the conversations about her sister was she
 17 said that, Oh, my sister only cares about her
 18 butt.

19 And my comment was, Oh, that's all the
 20 varsity girls. They care about their figure.

21 The other instance where we were
 22 talking about her sister was when she told me

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1 that her sister got into ODU college, and I
 2 said, Oh, congratulations.

3 That's the only time we ever talked
 4 about her sister.

5 MS. DEFEDE: Okay. Did you ever tap
 6 slash put your hand on her hip or butt?

7 MR. [Doe 2]: No.

8 MS. DEFEDE: So the next statement
 9 then -- I don't know who this is. So since
 10 crew green days about September 18th until
 11 now --

12 But for two weeks you were gone.

13 MR. [Doe 2]: Uh-huh.

14 MS. DEFEDE: -- [Doe 2] has been
 15 sexually harassing girls on the team. One
 16 green day you were docking. You were wearing
 17 Spandex.

18 Do you ever wear Spandex?

19 MR. [Doe 2]: Yes, but with shorts
 20 on top of it.

21 MS. DEFEDE: Okay. So you have shorts
 22 covering your Spandex.

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1 MR. [Doe 2]: Uh-huh.

2 MS. DEFEDE: Okay. He said, Hey guys,
 3 look, or something like that, and grabbed his
 4 genitals through his Spandex.

5 Did you ever do that?

6 MR. [Doe 2]: No.

7 MS. DEFEDE: He also asked me how a
 8 girl doesn't orgasm when she puts a tampon in.

9 Tell me about that conversation. When
 10 did you ever have conversations about tampons
 11 with girls?

12 MR. [Doe 2]: In, like, right after
 13 we got back from winter break, so the first
 14 week of January, sometime in that time frame.

15 MS. DEFEDE: Okay.

16 MR. [Doe 2]: So [M] came up to
 17 me and asked do you know where so and so is. I
 18 forget who she was asking for. She said that
 19 she needed a tampon. And the other girl, [L]
 20 who was sitting down arranging her bags and
 21 stuff said -- she overheard the conversation
 22 and said, Oh, [M] I have a tampon.

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1 And then we -- I was like, Why do you
 2 need a tampon? And then I said, Hopefully not
 3 a used one.

4 And we were starting to laugh. So I
 5 made another comment about the orgasm. And we
 6 were all still laughing. No one told me
 7 anything. Then their practice started. And I
 8 left to go do homework.

9 MS. DEFEDE: So these two girls were
 10 comfortable enough in your presence that they
 11 were discussing the need for tampons?

12 MR. [Doe 2]: Yeah.

13 MR. ANDERSON: And just for clarity,
 14 though, this girl is not either of those two
 15 girls. And this girl says that she was asked
 16 directly by [Doe 2] -- asked her how does a girl --
 17 how a girl doesn't orgasm, not that she
 18 overheard it. And this girl says, As I was
 19 sitting, I was next to [Student B]. And then he
 20 looked at [Student B] and said that he liked the view
 21 when the girls were stretching.

22 That that comment went to [Student B] and

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<p>1 her.</p> <p>2 MR. [Doe 2]: I never said that</p> <p>3 comment.</p> <p>4 MS. DEFEBE: Did you ever ask that</p> <p>5 question about how a girl doesn't orgasm when</p> <p>6 she puts a tampon in to anyone other than</p> <p>7 M and L?</p> <p>8 MR. [Doe 2]: No, only M and</p> <p>9 L.</p> <p>10 MS. DEFEBE: So you had been</p> <p>11 discussing with Ms. Kreloff about a situation</p> <p>12 involving I believe it was [Student A]; is that</p> <p>13 right?</p> <p>14 MR. [Doe 2]: Ms. -- who?</p> <p>15 MS. DEFEBE: Ms. Kreloff, your hearing</p> <p>16 officer.</p> <p>17 MS. KRELOFF: Me.</p> <p>18 MR. [Doe 2]: Oh. Oh. Oh. I'm</p> <p>19 sorry. Yes. Yes.</p> <p>20 MS. DEFEBE: About a situation</p> <p>21 involving [Student A] and her mom asking you to</p> <p>22 keep an eye on her. Was that [Student A]?</p>	<p>1 mother being abusive and that her father died</p> <p>2 and that she was pregnant in the hospital and</p> <p>3 that over that summer she was sex trafficked</p> <p>4 and some pretty big, like, lies. And then</p> <p>5 after that her mom was -- in 9th grade last</p> <p>6 year was my ride to crew and back for some of</p> <p>7 the days. And she asked me -- texted me</p> <p>8 personally and said, Can you keep an eye on</p> <p>9 M because there are some of these boys</p> <p>10 who are in her class harassing. And with the</p> <p>11 history that she's told you, which was totally</p> <p>12 made up, she told me to -- informed me.</p> <p>13 She called me sometimes. Her brother</p> <p>14 called me on her mom's behalf sometimes. And</p> <p>15 on this instance after this happened, M</p> <p>16 was talking to this guy in the school about</p> <p>17 drugs. So I told her mom. She got mad at me.</p> <p>18 She's still mad at me. But this was after the</p> <p>19 incident about the tampon happened.</p> <p>20 MR. ANDERSON: And just for clarity,</p> <p>21 I've never heard or read the name M I</p> <p>22 mean, I can't tell you who's in this packet</p>
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<p>1 MR. [Doe 2]: Mikayla.</p> <p>2 MS. DEFEBE: Was that [Student A]? Is</p> <p>3 it M?</p> <p>4 MR. [Doe 2]: M yes.</p> <p>5 MS. DEFEBE: Okay. So when you were</p> <p>6 interviewed with the school for the first time,</p> <p>7 have you ever been in trouble before?</p> <p>8 MR. [Doe 2]: No.</p> <p>9 MS. DEFEBE: Was it safe to say you</p> <p>10 were extremely nervous about being --</p> <p>11 MR. [Doe 2]: Yes.</p> <p>12 MS. DEFEBE: -- interviewed by the</p> <p>13 school?</p> <p>14 MR. [Doe 2]: Yes.</p> <p>15 MS. DEFEBE: Okay. Were there a lot</p> <p>16 of things that you forgot to tell the school?</p> <p>17 MR. [Doe 2]: Yeah.</p> <p>18 MS. DEFEBE: Okay. So could you</p> <p>19 explain more clearly this situation involving</p> <p>20 Mikayla.</p> <p>21 MR. [Doe 2]: Yeah. So M in</p> <p>22 the end of 8th grade lied to me about her</p>	<p>1 unfortunately. But was M anybody you</p> <p>2 interviewed?</p> <p>3 MS. HOPPOCK: No.</p> <p>4 MR. ANDERSON: Had you heard about</p> <p>5 M? Did M make any assertions that</p> <p>6 [Doe 2] had been making inappropriate comments?</p> <p>7 MS. HOPPOCK: No.</p> <p>8 MR. ANDERSON: So certainly it's not</p> <p>9 M retaliating against --</p> <p>10 MR. [Doe 2]: Yeah.</p> <p>11 MR. ANDERSON: -- him, being mad at</p> <p>12 her or anything; right?</p> <p>13 MS. HOPPOCK: Correct.</p> <p>14 MR. [Doe 2]: But I'm saying</p> <p>15 that --</p> <p>16 MR. ANDERSON: Okay. Because I</p> <p>17 thought you had said [Student A] as well. Like,</p> <p>18 when Ms. DeFede said --</p> <p>19 I thought you said it was [Student A]'s</p> <p>20 mom that had asked you to keep an eye on</p> <p>21 [Student A].</p> <p>22 MR. [Doe 2]: No. It was</p>

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<p>1 Mikayla's.</p> <p>2 MR. ANDERSON: Okay.</p> <p>3 MR. Doe 2: That's why if I only</p> <p>4 talked to L and M, none of those names</p> <p>5 are it. I never said that to anybody else.</p> <p>6 MS. KRELOFF: All right. Thank you.</p> <p>7 Is there anything else you want to say</p> <p>8 about this incident?</p> <p>9 (Mr. Doe 2 shakes head.)</p> <p>10 MS. KRELOFF: All right. We're going</p> <p>11 to move on to the school record. Review of the</p> <p>12 school record revealed that he's a 16-year-old</p> <p>13 10th grade student. He has earned nine</p> <p>14 academic credits, four verified credits and a</p> <p>15 4.111 cumulative grade point average. His</p> <p>16 semester grades were three A's and four A</p> <p>17 minuses. I don't know how I dropped the minus</p> <p>18 there. His third quarter interim grades ranged</p> <p>19 from A to B plus.</p> <p>20 Prior to the referral for disciplinary</p> <p>21 action, he had a satisfactory attendance</p> <p>22 record, and there were no offenses documented</p>	<p>1 The only disciplinary intervention that any</p> <p>2 teacher referenced was moving him to the front</p> <p>3 and center of the classroom in order to remove</p> <p>4 him from the student that he had poked.</p> <p>5 MS. KRELOFF: Could you explain about</p> <p>6 the poked incident.</p> <p>7 MS. HOPPOCK: Uh-huh. The teacher, as</p> <p>8 I received that narrative, said that he had</p> <p>9 noticed that this had happened, that the</p> <p>10 student was distracted and appeared upset. And</p> <p>11 as a result, he had moved Doe 2's seat. But that</p> <p>12 was the entirety of that conversation.</p> <p>13 MS. KRELOFF: Is this a male or a</p> <p>14 female student he poked?</p> <p>15 MS. HOPPOCK: A female student.</p> <p>16 MS. KRELOFF: And do you know where he</p> <p>17 poked her?</p> <p>18 MS. HOPPOCK: I do not.</p> <p>19 MS. KRELOFF: And has Doe 2 ever been</p> <p>20 asked about this besides by the teacher?</p> <p>21 MS. HOPPOCK: No.</p> <p>22 MS. KRELOFF: Okay. So that was a</p>
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<p>1 on his cumulative school discipline record.</p> <p>2 Can you tell us what teachers are</p> <p>3 saying about him.</p> <p>4 MS. HOPPOCK: Absolutely. Teachers</p> <p>5 describe Doe 2 as a kind, well-mannered, eager</p> <p>6 student who participates well in class, that he</p> <p>7 is self-motivated. He contributes to class</p> <p>8 discussions and activities and that he is</p> <p>9 organized.</p> <p>10 Almost all of the reports comment that</p> <p>11 his academic behaviors are all very positive,</p> <p>12 that he rarely has missing work. One teacher</p> <p>13 referenced who has had him for two years that</p> <p>14 she noticed that this year she's seen a little</p> <p>15 bit more late work being submitted but still</p> <p>16 attests to him as a strong academic participant</p> <p>17 in class.</p> <p>18 One teacher noted that every once in a</p> <p>19 while he has a sarcastic sense of humor in</p> <p>20 class. And one teacher commented that he had</p> <p>21 poked a classmate requiring him to have a new</p> <p>22 seat or that that was used as an intervention.</p>	<p>1 class incident that the teacher handled by just</p> <p>2 moving --</p> <p>3 MS. HOPPOCK: Yes.</p> <p>4 MS. KRELOFF: Okay. Thank you.</p> <p>5 Mr. Anderson, questions for school?</p> <p>6 MR. ANDERSON: I have no questions.</p> <p>7 MS. KRELOFF: Thank you.</p> <p>8 All right. Ms. DeFede, do you have</p> <p>9 questions for school?</p> <p>10 MS. DEFEDE: For the follow-up, no,</p> <p>11 for the school record.</p> <p>12 MS. KRELOFF: All right. Doe 2, was</p> <p>13 what you heard, did that sound accurate?</p> <p>14 MR. Doe 2: Yeah, but it was --</p> <p>15 can I tell you, like, what happened?</p> <p>16 MS. KRELOFF: Sure. Yeah.</p> <p>17 MR. Doe 2: So she took my pencil</p> <p>18 off my desk.</p> <p>19 MS. KRELOFF: Oh, you're talking about</p> <p>20 the poked incident.</p> <p>21 MR. Doe 2: Yeah.</p> <p>22 MS. KRELOFF: Okay. All right.</p>

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<p>1 MR. [Doe 2]: She took my pencil 2 off my desk and had headphones in. This was 3 during study hall in the morning. And I called 4 her name twice. Her name's [E]. And she said 5 -- she didn't answer, so I poked her on the 6 shoulder. And then she said, What? Stop 7 poking me. 8 And then my teacher intervened and 9 overheard that, her saying stop poking me. And 10 then when he said, [Doe 2], stop poking her, I only 11 poked her once. And then I asked for my pencil 12 back when Mr. Holtman didn't -- like, was gone 13 or was not in our conversation anymore. 14 MS. KRELOFF: So she had just taken it 15 off your desk? 16 MR. [Doe 2]: Yeah. 17 MS. KRELOFF: [Doe 2] I'm going to make a 18 suggestion. It's probably better not to poke 19 people, you know, just in general. 20 So what do you want to do in life, 21 [Doe 2]? 22 MR. [Doe 2]: I want to do</p>	<p>1 Penn State. 2 MS. KRELOFF: Oh, don't do that. 3 MR. [Doe 2]: NYU. And then reach 4 schools are like MIT and Duke and those kind of 5 schools, which are really not easy, but -- 6 MS. KRELOFF: Okay. Well, most things 7 that are worthwhile are not easy. I don't 8 think UVA is an easy entry either, so -- 9 All right. Mr. Anderson, questions? 10 MR. ANDERSON: No. 11 MS. KRELOFF: Is there anything else 12 you want to say about your school record? No? 13 Do you do any other sports besides 14 crew? 15 MR. [Doe 2]: I do Taekwondo, but 16 it's not really a sport. 17 MS. KRELOFF: Taekwondo? 18 MR. [Doe 2]: Yeah. 19 MS. KRELOFF: Okay. All right. Thank 20 you. 21 Ms. DeFede, anything? 22 MS. DEFEDE: Yes. So this is a</p>
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<p>1 something in the sciences. 2 MS. KRELOFF: Like what? 3 MR. [Doe 2]: Doctor, engineer. 4 MS. KRELOFF: Okay. Those are two 5 diverse fields. 6 MR. [Doe 2]: They are. 7 MS. KRELOFF: What do you like better, 8 math or bio? 9 MR. [Doe 2]: Math. 10 MS. KRELOFF: Math? 11 MR. [Doe 2]: I was leaning towards 12 engineering, but -- or, yeah, engineering, but 13 then it's not all hands-on that much anymore. 14 It's really computerized, so -- 15 MS. KRELOFF: Are you good with 16 computers? 17 MR. [Doe 2]: I mean, I'm, like, 18 okay I guess. I haven't done that much more 19 than -- I like, like, chemistry and stuff. 20 MS. KRELOFF: Chemistry too? Okay. 21 All right. Any ideas about colleges? 22 MR. [Doe 2]: I was looking at UVA,</p>	<p>1 situation where [Doe 2] has very involved parents 2 who when they first heard these allegations had 3 the same thought the school had, which is 4 that's weird. That's not the sort of thing 5 [Doe 2] has ever been accused of. I've never had any 6 sort of inclination of that. 7 So while they believe and support 8 their son, they also thought we need to verify 9 and make sure that we just haven't completely 10 missed something. Maybe for the last X number 11 of years we haven't had a good handle on our 12 son. 13 They did take him to be evaluated at 14 the Center for Clinical and Forensic Sciences. 15 And I have -- I've got two packets, one for 16 you, Mr. Anderson, one for you, Ms. Kreloff. 17 And there's a letter from Ms. Hunt in here 18 saying he has no issues. And they actually did 19 a session, a follow-up session, with Ms. Hunt 20 of just basically here are the boundaries, 21 here's what you need to be sensitive about, you 22 know, because this really is an issue of</p>

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<p>1 boundaries. This is not sexual harassment.</p> <p>2 This is not women who were victimized at the</p> <p>3 school. You know, this isn't the take down of</p> <p>4 some power imbalance situation. This is just</p> <p>5 Doe 2, 10th grader, who participates on a</p> <p>6 crew team that talks sexually all day long</p> <p>7 every day, girls and boys.</p> <p>8 They bring him in on conversations</p> <p>9 regarding their bodies. They bring him in on</p> <p>10 conversations regarding tampons, which is</p> <p>11 beyond my imagination. They bring him in on</p> <p>12 conversations regarding their new nails. And I</p> <p>13 think that's what this was. This was a</p> <p>14 boundary issue. This was a reading the</p> <p>15 conversation turn issue, because Doe 2 absolutely</p> <p>16 denies any touching.</p> <p>17 And so the flip side of that -- other</p> <p>18 than the accidental touching of Student A. So</p> <p>19 the flip side of that is that Mr. Pathak was</p> <p>20 previously a patent attorney. And so he's</p> <p>21 thinking, how do I repair my son's reputation?</p> <p>22 This isn't Doe 2. What do I do in a he-said,</p>	<p>1 He does not present as someone who is</p> <p>2 harassing, who is violating, who is doing any</p> <p>3 of those things. He is the guy that girls are</p> <p>4 comfortable enough with to go asking for</p> <p>5 tampons in front of him.</p> <p>6 And I truly do believe that with this</p> <p>7 one session with Ms. Hunt who is very good at</p> <p>8 her job, any of Doe 2's lack of ability to read</p> <p>9 the room or read what was going on or truly</p> <p>10 know who was his friend and who wasn't, I think</p> <p>11 that that's really going to assist that and</p> <p>12 that there is not going to be -- there will be</p> <p>13 no further issues from Doe 2.</p> <p>14 But I do have those results in here,</p> <p>15 the polygraph results. I have Ms. Hunt's</p> <p>16 letter. And then I have a lot of character</p> <p>17 letters from people out in the community who</p> <p>18 know Doe 2 well. And one of the -- the one on</p> <p>19 top is from his Boy Scout troop leader who</p> <p>20 talks about the work Doe 2 is doing. He's</p> <p>21 currently a Life Scout. He's actively working</p> <p>22 towards the Eagle Scouts.</p>
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<p>1 she-said situation? And he sought out a</p> <p>2 polygraph examiner. And I have those results</p> <p>3 for you as well in the packet along with the</p> <p>4 gentleman's resume. And the polygraph came</p> <p>5 back absolutely as no deception. He asked him</p> <p>6 these questions. Did you touch these girls?</p> <p>7 The answer is no.</p> <p>8 Did you sexually touch these girls?</p> <p>9 No, I did not do that.</p> <p>10 And he took them twice to make sure</p> <p>11 that all of the allegations that were raised in</p> <p>12 the packet were addressed. And so it is a bit</p> <p>13 of a unique situation where you have these</p> <p>14 comments and these allegations where if you</p> <p>15 have three people saying one thing, how can he</p> <p>16 possibly defend himself. And this is really</p> <p>17 the only tool at his disposal is the polygraph.</p> <p>18 And it's Doe 2's reputation. And Doe 2's</p> <p>19 reputation is fantastic. He is working towards</p> <p>20 becoming an Eagle Scout. This is the first</p> <p>21 time he's ever been in trouble at school. He</p> <p>22 does not -- he does not present as a predator.</p>	<p>1 He is your ideal FCPS student. He is</p> <p>2 in all honors classes. He is going to take AP</p> <p>3 classes next year. He has kept his head above</p> <p>4 water this entire time. And this situation</p> <p>5 arose. And I do think it's unfortunate,</p> <p>6 because it is an important thing. Sexual</p> <p>7 harassment is very important. And it's</p> <p>8 important in the schools. And it's important</p> <p>9 for you to prevent it. But it's also not a</p> <p>10 tool to be used against somebody.</p> <p>11 And I think that that's where you have</p> <p>12 the situation where Doe 2 -- I don't see this as</p> <p>13 being a pervasive problem. I don't see this as</p> <p>14 something where he was -- even if you accept</p> <p>15 what they said is true, we have just a few</p> <p>16 incidents that are pulled out with some dates</p> <p>17 that we don't particularly know. And some of</p> <p>18 that time Doe 2 wasn't even participating on the</p> <p>19 team.</p> <p>20 If you take what he admits to which is</p> <p>21 I was poking Student A. We were messing around</p> <p>22 because she had bad grades, and I accidentally</p>

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<p>1 touched her in her crotch or pelvic area. And</p> <p>2 he admits to discussing girls in the locker</p> <p>3 room, which while that may not be appropriate,</p> <p>4 under no circumstances would I want to relive</p> <p>5 every conversation I had as a teenager either,</p> <p>6 because having inappropriate conversations is,</p> <p>7 frankly, just par for the course.</p> <p>8 And that doesn't mean that the girls</p> <p>9 don't have the right to have a safe educational</p> <p>10 environment as you all raised. They absolutely</p> <p>11 do. But I think it all has to be taken into</p> <p>12 context. And you have to read these</p> <p>13 allegations against all the other underworkings</p> <p>14 under the surface of the teenagers in the</p> <p>15 school. You have to weigh it against Doe 2 as an</p> <p>16 individual. And you also have to weigh it</p> <p>17 against the actions that the parents took to</p> <p>18 get these polygraph examinations to try to</p> <p>19 rebuild his reputation, because it's very</p> <p>20 important to Doe 2 that people don't think this</p> <p>21 of him, that they don't think that he is a</p> <p>22 sexual harasser, that they don't think that he</p>	<p>1 denied these allegations didn't get taken fully</p> <p>2 into consideration.</p> <p>3 And I do acknowledge and Doe 2</p> <p>4 acknowledges that he was nervous, because if</p> <p>5 you've never been in trouble before, and now</p> <p>6 you're being pulled in and questioned in this</p> <p>7 manner, absolutely he doesn't know what to say.</p> <p>8 If he knew what to say, he'd be the kind of kid</p> <p>9 who got in trouble all the time, because he'd</p> <p>10 be practiced at it. And he just didn't think</p> <p>11 you all were interested and was just trying to</p> <p>12 make sure that he could talk to his parents so</p> <p>13 that he knew what to do, because it was an</p> <p>14 unfamiliar situation.</p> <p>15 So I wish he would have told you about</p> <p>16 all the other undercurrents of the crew team.</p> <p>17 And I wish he would have told you about how</p> <p>18 sexual that crew team is and how all of those</p> <p>19 comments go back and forth, because the context</p> <p>20 is very important when you're looking at sexual</p> <p>21 harassment. Doe 2 is not a threat to your</p> <p>22 school. He is not a threat to these girls.</p>
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<p>1 is trying to victimize other girls. This is</p> <p>2 not -- he has a lot of women in his life that</p> <p>3 are very strong women. And this is just not</p> <p>4 who he wants people to think he is.</p> <p>5 And with social media and the tweets</p> <p>6 and things as they are today, I don't know that</p> <p>7 his reputation can be repaired when someone</p> <p>8 makes an allegation like this against you. But</p> <p>9 he is going to do everything he can for the</p> <p>10 school side and for you all to present this</p> <p>11 information to you now so that you can see</p> <p>12 truly Doe 2 is not a sexual harasser. And what</p> <p>13 he did does not rise to the level necessitating</p> <p>14 a transfer in school or alternative school or a</p> <p>15 long-term suspension beyond what he's already</p> <p>16 had certainly.</p> <p>17 And I know, Ms. Kreloff, you said</p> <p>18 expulsion is very rare and off the table. But</p> <p>19 that's my concern. My concern is that this is</p> <p>20 the nuclear reaction to a situation where what</p> <p>21 Doe 2 has done his entire life didn't get weighed</p> <p>22 against these allegations. Who Doe 2 is when he</p>	<p>1 I did want to just clarify two things</p> <p>2 which is Doe 2 didn't make a statement, so the</p> <p>3 quotes are just quotes taken and pulled from</p> <p>4 the conversation in whatever manner they want</p> <p>5 it to be. And in the teacher's -- not the</p> <p>6 teacher's, the coach's e-mail when she says two</p> <p>7 boys walked up and said they were familiar with</p> <p>8 the situation, they said they were familiar</p> <p>9 with the situation, they didn't say I know</p> <p>10 exactly what you're talking about. I've seen</p> <p>11 Doe 2 do that too. It's Student A's brother</p> <p>12 saying, Yeah, I've heard about it, because it's</p> <p>13 Student A's brother and Student A's brother's</p> <p>14 best friend. And so they undoubtedly heard</p> <p>15 about it from Student A.</p> <p>16 But I do think that's different than</p> <p>17 boys on a team seeing someone else do something</p> <p>18 and feeling like they couldn't stop it or</p> <p>19 feeling like they had to turn him in. That's</p> <p>20 not what that was. That was just Student A's</p> <p>21 brother, Student A's friend saying, oh, yeah, I</p> <p>22 heard about this from Student A.</p>

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<p>1 So that's what I'm going to -- I'm</p> <p>2 asking today that Doe 2 not receive any further</p> <p>3 discipline, because I don't believe that this</p> <p>4 recommendation was warranted based on what he</p> <p>5 did and what it's likely he did, because it's</p> <p>6 just, frankly, highly unlikely that he sat in a</p> <p>7 library and he grabbed Student A's breast and</p> <p>8 he grabbed her butt or grabbed -- I'm sorry --</p> <p>9 grabbed her crotch, grabbed her butt and tried</p> <p>10 to show his penis in the library. That's just</p> <p>11 unlikely that that happened.</p> <p>12 And I think those details are</p> <p>13 important for you to know when you're looking</p> <p>14 at an allegation of someone just took this too</p> <p>15 far and added a few too many things that</p> <p>16 couldn't possibly have occurred in a crowded</p> <p>17 library with multiple other students around.</p> <p>18 And so that's what we're asking for today is</p> <p>19 that he does have the opportunity to return to</p> <p>20 his school, that there is no further</p> <p>21 discipline.</p> <p>22 And that whether or not the parents</p>	<p>1 accidentally touch somebody in that part of the</p> <p>2 body? And I said, Show me.</p> <p>3 He finally said, Well, we were sitting</p> <p>4 down.</p> <p>5 That's the first time I even heard</p> <p>6 sitting down. They weren't standing. They</p> <p>7 weren't next to each other. They weren't close</p> <p>8 to each other. So I think --</p> <p>9 And correct me if I'm wrong. You were</p> <p>10 sitting in a chair?</p> <p>11 MR. Doe 2: Yes.</p> <p>12 MR. Doe 1: She was sitting in a</p> <p>13 chair?</p> <p>14 MR. Doe 2: Yes.</p> <p>15 MR. Doe 1: Okay. And whatever</p> <p>16 happened -- the poking part happened. As she</p> <p>17 was sitting in a chair, she poked you. You</p> <p>18 poked back. Her arm was on your shoulder.</p> <p>19 MR. Doe 2: Yes.</p> <p>20 MR. Doe 1: So the only place</p> <p>21 you could poke her would be like obviously not</p> <p>22 up here. It's below that point. And you poked</p>
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<p>1 should choose that that school is not an</p> <p>2 appropriate place for Doe 2 anymore because his</p> <p>3 reputation is so badly damaged at this point,</p> <p>4 that you let them make that decision themselves</p> <p>5 as opposed to as a discipline decision.</p> <p>6 MS. KRELOFF: Sir, ma'am, we have</p> <p>7 until 3 o'clock. What would you like for us to</p> <p>8 know?</p> <p>9 MR. Doe 1: Just a couple of</p> <p>10 small things. I read the statements once we</p> <p>11 got the redacted package. And during the</p> <p>12 conversation we had with our son in the</p> <p>13 presence of Ms. Hoppock, we sort of got a --</p> <p>14 I'd consider it a vague sort of distorted</p> <p>15 picture. We still couldn't put together who</p> <p>16 was where, when and what was happening.</p> <p>17 Confusing to me. Confusing to my wife.</p> <p>18 Certainly confusing to my son.</p> <p>19 What he told me was he used a poke</p> <p>20 finger to reach at Student A, whatever it was.</p> <p>21 It was not a hand. And that on my asking a</p> <p>22 further question, I said, How could you</p>	<p>1 her. You said that --</p> <p>2 MR. Doe 2: She fell back before</p> <p>3 my hand even --</p> <p>4 MR. Doe 1: Let me finish.</p> <p>5 She lost her balance, fell back.</p> <p>6 MR. Doe 2: Yeah.</p> <p>7 MR. Doe 1: And her pelvis may</p> <p>8 have come close to your hand, and you were</p> <p>9 aware you contacted. It was certainly not what</p> <p>10 you did. And I actually think it was the other</p> <p>11 way around.</p> <p>12 The other part was, if she was seated</p> <p>13 the whole time, her butt was in contact with</p> <p>14 the chair. How could he have touched her butt?</p> <p>15 I don't get that at all. Makes no sense to me.</p> <p>16 And you know, Ms. Hoppock, I even said</p> <p>17 it to you, I said, If I thought for a second he</p> <p>18 had done any of this stuff, I wouldn't sit here</p> <p>19 defending him.</p> <p>20 I've asked for computer log-in data,</p> <p>21 video data, any other corroboration. Certainly</p> <p>22 there were other people there. He never denied</p>

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<p>1 that. He said the touching --</p> <p>2 Was it Student B that was supposedly in</p> <p>3 class?</p> <p>4 MR. Doe 2: She said it was in</p> <p>5 class.</p> <p>6 MR. Doe 1: I don't know what</p> <p>7 she said exactly.</p> <p>8 MR. Doe 2: Yes.</p> <p>9 MR. Doe 1: And what time do you</p> <p>10 typically arrive in class?</p> <p>11 MR. Doe 2: Early.</p> <p>12 MR. Doe 1: Okay. So what time</p> <p>13 does that class start?</p> <p>14 MR. Doe 2: Like 9:40.</p> <p>15 MR. Doe 1: And so are you in</p> <p>16 your seat by what time?</p> <p>17 MR. Doe 2: Like 9:36.</p> <p>18 MR. Doe 1: Okay. And your seat</p> <p>19 is in the front or back of the room?</p> <p>20 MR. Doe 2: Front.</p> <p>21 MR. Doe 1: Okay. And where</p> <p>22 does Student A sit? Or not Student A.</p>	<p>1 moved to?</p> <p>2 MR. Doe 2: I was moved here, and</p> <p>3 she was moved here.</p> <p>4 MR. Doe 1: Next to you.</p> <p>5 MR. Doe 2: Yes.</p> <p>6 MR. Doe 1: Okay. So this was</p> <p>7 after the reporting but before you got pulled</p> <p>8 out of class.</p> <p>9 MR. Doe 2: Yes.</p> <p>10 MS. KRELOFF: Sir, I just want to make</p> <p>11 you cognizant of time. Your attorney has, you</p> <p>12 know, has asked these questions.</p> <p>13 MR. Doe 1: Well, I'm just as a</p> <p>14 father, I mean, I've crossed questioned him.</p> <p>15 Nothing adds up. And I'll tell you that if I</p> <p>16 thought he had done something, I would not</p> <p>17 defend him; okay? He would be in a military</p> <p>18 school all boys yesterday. It's just not going</p> <p>19 to happen in my house.</p> <p>20 MS. KRELOFF: Thank you, sir.</p> <p>21 Ma'am.</p> <p>22 MS. Jane Doe: As I first said</p>
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<p>1 MR. Doe 2: Student B sits in the</p> <p>2 middle.</p> <p>3 MR. Doe 1: Behind you</p> <p>4 somewhere; is that right?</p> <p>5 MR. Doe 2: I sit here if this is</p> <p>6 the door, and Student B sits over there.</p> <p>7 MR. Doe 1: Okay. And has she</p> <p>8 always sat there?</p> <p>9 MR. Doe 2: No. After --</p> <p>10 MR. Doe 1: Well, let me ask the</p> <p>11 question. So when did she -- did she get moved</p> <p>12 at some point?</p> <p>13 MR. Doe 2: Yeah.</p> <p>14 MR. Doe 1: And when did that</p> <p>15 happen?</p> <p>16 MR. Doe 2: The date -- the</p> <p>17 Spanish class before I was pulled out of class,</p> <p>18 so the 13th.</p> <p>19 MR. Doe 1: Okay. 13th or 14th;</p> <p>20 is that right?</p> <p>21 MR. Doe 2: Yes.</p> <p>22 MR. AJAY PATHAK: And where was she</p>	<p>1 to Ms. Hoppock when we talked was that none of</p> <p>2 this made any sense to me. It was so far out</p> <p>3 of left field, because this is not the Doe 2 I</p> <p>4 know. Everything that we've seen over the</p> <p>5 years, he's an extremely engaged individual,</p> <p>6 extremely engaged student. He has a zest for</p> <p>7 life for somebody as young as he is. And he's</p> <p>8 always looking to help people. I think some of</p> <p>9 the character references you'll find say the</p> <p>10 same. I'm sorry. I'm emotional because</p> <p>11 I'm his mother.</p> <p>12 MS. KRELOFF: I completely understand.</p> <p>13 MS. DEFEBE: Well, I will say they</p> <p>14 wrote a statement out for you too.</p> <p>15 So I just want to take the pressure</p> <p>16 off of you that you can turn that in.</p> <p>17 MS. KRELOFF: Absolutely.</p> <p>18 MS. DEFEBE: So they did write that</p> <p>19 out so you get a better sense of Doe 2</p> <p>20 MS. KRELOFF: Certainly.</p> <p>21 MR. Doe 1: And it's unfortunate</p> <p>22 these kind of things happen. But I think -- I</p>

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<p>1 can't explain it. I don't know. Maybe the 2 young lady has had -- somebody else has abused 3 her in the past. I have no clue, you know. We 4 haven't spoken to anyone outside of -- just the 5 teachers and the counselors.</p> <p>6 He has gotten some requests for, Doe 2 7 what do you have to say for yourself? And he 8 even said -- before he even came here, he said, 9 Dad, I don't want to add to the drama. So I 10 told the guys, listen, I've not done the things 11 alleged. But I'm not going to comment, because 12 there's enough drama as it is.</p> <p>13 MS. DEFEDE: Well, and I would say 14 just because I think that --</p> <p>15 Can I see your statement, please, so I 16 can hand that to Ms. Kreloff.</p> <p>17 You know, students always get a little 18 bit more comfortable as the hearing goes on. 19 So in these last two minutes, I did want to 20 give Doe 2 a chance to leave you with a more 21 accurate impression of who he is as a student.</p> <p>22 MS. KRELOFF: Thank you.</p>	<p>1 4.25. And as of now I have a GPA of 4.11 as 2 you previously stated. In addition to school, 3 I pursue other interests such as rowing, 4 singing, Taekwondo, musical theater and Boy 5 Scouts. I've won awards for being top vocalist 6 at a regional competition. And then last year 7 I won Virginia State rowing championships with 8 a group of eight boys that were on my team.</p> <p>9 I hope that this information tells you 10 something about my character and who I am. And 11 I always try to be a good person and help my 12 friends and family whenever I can. I do 13 realize now that in some ways I am still 14 immature and behave goofily. I feel that I 15 must be -- use better judgement especially with 16 the respect and using sensitive language and 17 being aware of others' perception about things. 18 I hope I can continue to attend classes at Lake 19 Braddock where my academic and extracurricular 20 interests can be fully met.</p> <p>21 I'd like to say that my parents have 22 always taught me to strive to improve and</p>
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<p>1 Doe 2, what would you like to say?</p> <p>2 MR. Doe 2: Well, I just want to 3 say that, like, education to me is not --</p> <p>4 Okay. So thank you for giving me the 5 opportunity to represent myself. I would like 6 to tell you a little bit about who I am. I've 7 been in the FCPS system since 4th grade --</p> <p>8 MR. Doe 1: Doe 2, slow down a 9 little bit.</p> <p>10 MS. DEFEDE: It's okay. I just 11 want --</p> <p>12 MS. KRELOFF: It's okay.</p> <p>13 MR. Doe 2: -- and have had a 14 connection both to Sangster Elementary and Lake 15 Braddock. Education is extremely important to 16 me. And both schools have provided me with the 17 academic setting that has kept me challenged in 18 a good way. To me education is engaging and 19 learning various types of materials so that one 20 can pursue a career in any field of their 21 choice.</p> <p>22 In middle school I obtained a GPA of</p>	<p>1 behave in a manner that does not disappoint the 2 school, them or myself. No good can come from 3 dwelling on who did what or accused me of 4 certain things, but it is best to focus on the 5 changes I can make and make my parents and 6 family proud.</p> <p>7 MS. KRELOFF: Okay. Thank you. 8 Well-written.</p> <p>9 All right. Well, we have the issue of 10 the suspension appeal. I have been sitting 11 here, Ms. DeFede. As you probably are 12 guessing, I would like an opportunity to look 13 at the information along with Mr. Anderson 14 today before I rule on that.</p> <p>15 So what we are going to do at this 16 point is I'm going to basically stop rather 17 than conclude with a decision on that. Mr. 18 Anderson and I hopefully will have a chance 19 this afternoon to review this information. And 20 then I will contact you by e-mail. If he -- I 21 want to give him the benefit of the doubt. So 22 I do want to read all of this. But then I will</p>

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<p>1 contact you in terms of whether the suspension</p> <p>2 is extended or not. Currently walking out of</p> <p>3 here, it is not.</p> <p>4 MR. ANDERSON: Well, no, the waiver --</p> <p>5 what does the waiver read? I believe it says</p> <p>6 that he will remain out of school until a final</p> <p>7 decision is made.</p> <p>8 MS. KRELOFF: Right.</p> <p>9 MR. ANDERSON: So if we aren't able to</p> <p>10 get it to you by 4:30 today, because I have a</p> <p>11 letter I need to try to get out by 4:30</p> <p>12 today --</p> <p>13 MS. KRELOFF: Oh, okay.</p> <p>14 MR. ANDERSON: -- it might not be</p> <p>15 until Monday that we're able to communicate</p> <p>16 more on the suspension appeal side rather than</p> <p>17 a full decision.</p> <p>18 MS. KRELOFF: That's fine. I didn't</p> <p>19 realize, Mr. Anderson. I apologize.</p> <p>20 MR. ANDERSON: No. It's okay. But</p> <p>21 it's a lot to read in an hour and a half.</p> <p>22 MS. KRELOFF: That is true. And you</p>	<p>1 as soon as we possibly can. It may, as Mr.</p> <p>2 Anderson said, be Monday. I unfortunately did</p> <p>3 not take his schedule into consideration.</p> <p>4 All right. Thank you all for coming.</p> <p>5 This hearing is closed.</p> <p>6 (Whereupon, at 3:01 p.m., the hearing</p> <p>7 in the above-entitled matter was</p> <p>8 concluded.)</p>
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<p>1 have things.</p> <p>2 But I do not -- I want you to</p> <p>3 understand, this is not a decision on my part.</p> <p>4 It is just me trying to make sure that we have</p> <p>5 all the facts before we make a ruling; okay?</p> <p>6 Yes, sir.</p> <p>7 MR. Doe 1: Did we relay the</p> <p>8 incident where you came to the defense of the</p> <p>9 young lady at rowing camp this summer?</p> <p>10 MS. KRELOFF: All right. If you wish</p> <p>11 to add something, unfortunately we've got more</p> <p>12 hearings starting.</p> <p>13 MS. DEFEDÉ: It's in the letter.</p> <p>14 MR. Doe 1: It's in the letter.</p> <p>15 Okay.</p> <p>16 MS. KRELOFF: But I -- we will review</p> <p>17 all of this. I will get in touch with you as</p> <p>18 soon as possible on this; okay?</p> <p>19 Ms. DeFede, do you have anything? No?</p> <p>20 Doe 2, thank you.</p> <p>21 Everyone, thank you for coming. I</p> <p>22 will make -- I will inform you and update you</p>	<p>1 CERTIFICATE</p> <p>2 COMMONWEALTH OF VIRGINIA AT LARGE:</p> <p>3 I, Karen M. Smith, a stenographic reporter</p> <p>4 and notary public in and for the Commonwealth</p> <p>5 of Virginia at large do hereby certify that the</p> <p>6 foregoing was reported by stenographic means by</p> <p>7 me, which matter was held on the date and at</p> <p>8 the time and place set forth on the title page</p> <p>9 hereof, and that the foregoing constitute a</p> <p>10 true and accurate transcript of same to the</p> <p>11 best of my ability.</p> <p>12 I further certify that I am not related to</p> <p>13 any of the parties, nor am I an employee of or</p> <p>14 related to any of the attorneys representing</p> <p>15 the parties, and I have no financial interest</p> <p>16 in the outcome of this matter.</p> <p>17 Given under my hand and seal this 13th day</p> <p>18 of March, 2018</p> <p>19 <i>Karen Smith</i></p> <p>20 K</p> <p>21 My Commission Expires</p> <p>22 December 31, 2014</p>

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